CRB COMPLAINT EVALUATION FORM

Case Number: 08-011 Complainant Name: John Opp

CASE SUMMARY

Date of Incident:

October 4, 2008

Date of Complaint filed with IA:

Via CRB Fax dated October 28, 2008*

Date of Complaint filed with CRB:

October 28, 2008

* Note that IA reports that Mr. Opp first complained to their department on or about October 14, 2008 and an investigation was undertaken commencing that date and concluding October 16, 2008.

Officer:

Sergeant Frank Blasberg

Allegation: De

Deficient Service

Mr. Opp alleges that on or about October 3, 2008, his truck was struck by another vehicle. Mr. Opp was not present during the event and learned of the incident from neighbors after the fact. He noted damage to his vehicle and requested a copy of the relevant crash report. Mr. Opp noticed his vehicle was not part of the original crash report and thus he requested an additional investigation/report to be made. Apparently Sergeant Blasberg, who was not the author of the original crash report, responded and filed a supplemental crash report that concluded Mr. Opp's vehicle was not involved in the crash. Mr. Opp objects to this alleged deficient service rendered by Sergeant Blasberg as Mr. Opp claims his pictures and witnesses prove his vehicle sustained damages in the crash.

Mr. Opp had called IA on this matter prior to appearing in the CRB offices and filing this complaint. He was not satisfied with IA's response and rejected IA's findings and conclusions and wants to present his case to the Board. He alleges that since his vehicle is not mention in the crash reports, his insurer will not pay or consider his claim for damages.

IA has tendered the original crash report and a supplemental report authored by Sergeant Blasberg which take the position that Mr. Opp's vehicle was not involved in the incident. Said reports reference a CD ROM of pictures, which IA has provided to the CRB.

Executive Director Muffler attempted to set up mediation on this matter between Mr. Opp and the involved officer. Mr. Opp agreed to mediation, but the involved officer did not respond to the two (2) letters requesting mediation. Therefore, it is assumed that the officer rejects this alternative dispute resolution process and the complaint is ready for the Board to review.

This file consists of the following written/visual materials:

- 1. Original Complaint and its supporting documents and fax cover letter & confirmation sheet to KWPD;
- 2. IA's one page report and supporting crash reports it references;
- 3. Director's e-mail to IA requesting copy of CD ROM of pictures mentioned in crash report & IA Set of Pictures & Mr. Opp's set of pictures.(Pictures will be viewable by the Board at meeting via computer projector)
- 4. Notice Letters regarding mediation sent to the parties; &
- 5. Notice Letters to Complainant, IA and KWPD Involved Officers.

The CRB must determine if the complaint states any cause of unprofessional conduct by the subject officer given the nature of the complaint, the totality of the evidence presented by IA's report and crash reports, and Mr. Opp's pictures and allegations. The CRB should decide if it should commence its own investigation under the City Charter provision and/or defer to IA to continue its investigation into this matter and/or decide this matter with the evidence before the CRB.

Transmission Report

Date/Time Local ID 1 Local ID 2

10-28-2008 3052939827

10:26:04 a.m.

Transmit Header Text Local Name 1

Local Name 2

C.R.B.

This document: Confirmed (reduced sample and details below)

Document size: 8.5"x11"



Citizen Review Board

To:

Chief Lee

From:

Stephen C. Muffler, Esquire

Executive Director

Fax: 809-1064 or 1068

Pages: 1 (Including fax cover page)

Phone: Re:

Date:

October 28, 2008

CRB Complaint No. 08-011 John Opp

CC:

Det. Lt. David Smith Inspector Randy Smith

☐ Urgent

D For Review

☐ Please Reply

 ${\sf X}$ Please make multiple copies and circulate within your department to "cced" individuals

This is a revised fax memo to correct the previous one this date to accurately identify the CRB complaint number and the name of the complaintent. Thank you for your assistance,

Stephen C. Muffler, Esquire **Executive Director** Attorney at Law City of Key West Citizen's Review Board P.O. Box 1946 Key West, Florida 33041 (305) 809-3887 crb@keywestcity.com www.keywestcity.com/department/index.asp?fDD=36-0

Total Pages Scanned: 1

Total Pages Confirmed: 1

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Abbreviations:

HS: Host send HR: Host receive WS: Walting send PL: Polled local

PR: Polled remote MS: Mailbox save

MP: Mailbox print

CP: Completed

FA: Fall

TU: Terminated by user

TS: Terminated by system RP: Report

G3: Group 3 EC: Error Correct



Citizen Review Board

To:	Chief Lee	From:	Stephen C. Muffler, Esquire
			Executive Director
Fax:	809-1064 or 1068	Pages:	1 (including fax cover page)
Phone:		Date:	October 28, 2008
Re:	CRB Complaint No. 08-011 John Opp	CC:	Det. Lt. David Smith Inspector Randy Smith
☐ Urgent X Please n	☐ For Review ☐ Please Reply nake multiple copies and circulate within	ı your departm	nent to "cced" individuals

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Stephen C. Muffler, Esquire
Executive Director
Attorney at Law
City of Key West
Citizen's Review Board
P.O. Box 1946
Key West, Florida 33041
(305) 809-3887
crb@keywestcity.com
www.keywestcity.com/department/index.asp?fDD=36-0

Citizen Review Board

#3 East Quay Road, Key West, FL 33040 PO Box 1946, Key West, FL 33041 (305) 809-3887 Fax (305) 293-9827 email: crb@keywestcity.com

http://www.keywestcity.com/department/board.asp?fDD=36-153

- What you need to know before completing the attached complaint form:
- This complaint and any attachment become public record. If you have already filed a report with Key
 West Police Department Internal Affairs, and you want that complaint to remain confidential until the
 investigation is complete, you may want to refrain from filing at this time.
- Complaints should be filed within 90 days of the time you became aware of the incident or after resolution of any criminal charges.
- Anyone who has criminal charges pending related to this complaint should consult an attorney before filing the complaint with the CRB.
- Complainants must advise the CRB of any changes of address or phone number; failure to provide the CRB current information or means for CRB to contact the complainant may result in dismissal of the case.
- All documents received by this office, including medical records, photo IDs, communications and alike become public records and will be disclosed on the Internet and viewable by anyone or any person. You should consider this fact before sending any matters or materials to this office.
- The CRB and its employees and agents are not your legal representatives. You should seek independent legal representations to understand your legal rights regarding the matters referenced in your complaint.
- The CRB jurisdiction is limited to City of Key West Police Officers and NOT Monroe county sheriffs, correction officers, Florida Fish and Wildlife Officers, FDLE representatives, Florida Highway Patrol Officers, Federal Agents, Military personal and alike.

I have read and understand the information provided to me on this page.

Name/Nombre

Date/Fecha

COMPLAINT FO

Citizen Review Board

#3 east Quay Road, Key West, FL 33040 PO Box 1946, Key West, FL 33041 http://www.keywestcity.com email: crb@keywestcity.com
(305) 809-3887 Fax (305) 293-9827

Please provide as much information as you can about the incident(s). Use additional pages if necessary.

Suministre la mayor cantidad de información posible acerca del (de los) incidente(s). Utilice páginas adicionales si fuese necesario

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B. Battery/	NATURE OF COI Force Rudeness	MPLAINT: CIRC	LE ALL THAT	APPLY. Natural Truthfulness Issue	eza de la d e Drivina	enuncia: Circu False Arrest	lar le todas	las que apliquer
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D. VICTIM/WITNESS INFORMATION DATOS DE LA VICTIMA/TESTIGO

Did you ¿Fue ust	u witness the in ted testigo del i	ncident? Yes ncidente denunci	No <u>X</u> _	>			
If you a	re filing a comp está presentan	olaint on behalf c	of someone else	what is your wal.	ationship, if a I, indique cuál	ny, to the person(s es su relacion, si l): a hay, con esa(s)
Parent Padre/ <i>N</i>		Spouse Conyuge	Relative Familiar	Guardian Tutor	Child Hijo/a	Friend Amigo/a	Other Otra
Suminist	tre la mayor co	ALL MILLIESSIES:	e de la informa	icion que se sel	licitor or counting	on(s) on whose be nuacion, sobre la incidente:	
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Zip Cod Código P	le <u>33940</u>	O Contac	Ci t numbers: Tele _l Teléf	udad: ' Ohone		Estado: 923	-3532
Victima, Is this pe	/Testigo No. 2 erson a : victim sona es: victim	witness		(witn	iess to	o car dam	age)
Nombre Address: Dirección: Zip Code Código P	: <u>1001</u> : 33041		Cit	ohone <u>292</u>	. II XX / 1	State FL Estado: Cell	
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- 5- '	· - ·		Teléfo	no		-	

E. INFORMATION ABOUT THE INCIDENT INFORMACION ACERCA DEL INCIDENTE

Please provide as much information as possible, using additional pages if necessary.

Suministre la mayor cantidad de informacion possible, utilizando páginas adicionales si fuese necesario.

Date: Fecha:	Time: Hora:	Location:	Case # if applicable: No. de Caso, si corresponde:
Fri Oct - 3-17	- 18 T c		No. de Caso, si corresponde:
<u> </u>	<u> </u>	-ome home	6:00pm put tools in trucks
bump was	s not	smashed in	. SHT Oct-4-08 I come
home for	Lunch	My LandLon	I told me, my truck was
hit and	neighber	Van was	hit. I Look at it. I
went to	open c	ab everthi	ing ever where CD out
or dast	$\frac{2^n inc}{}$	h then :	I go to Start truck nothing
battey \$	ide way,	cable bro	Ken. So I call at 12:20 pm
they told	me I	have to me	et with a office that work
that nigh	t. So I	went get	Gable For truck, Started it up
can not m	nove it	shifter o	jam. I call office Blasterberg
come ou	t around	1 7:00 pm.	I told him my truck
was hit.	He w	ialk back	to his car talk on the
cell ask	ing Some	one if my	truck involed in a that crash
Last night	Frank	walk bac	K over to me and Said -move.
Attach additional po	ages if necessary.	Page number	of pages of narrative
			re a pending criminal case? Yes No
		felony? Yes No	
communication deli	vered to the CRB	office becomes public	der the penalty of perjury, the statements made herein are uments, materials, medical records, e-mail and other record and shall be viewable on the internet by anyone or
- Yohn	E . Off nature of Comple		10-25-08
/ Sigr	ature of Comple	inant	
Complaint Received	•	Complaint Reviewed	by: Action Taken:
Date complaint for	warded to Chief	of Police:	

(no your vehicle was not in-volle in. the crash Last night that old damage.) I told him I come home Last night at lepm I my bumper was smashed becouse I put tool in My truck I use the bumper to Step into my truck. (No it inpossetble) The vehide hit the unthen did a 360 then in it up in the medding and not behind your truck) what about all the glass and place My LandLord been picking up undernother my truck. Frank said (No the place Floated in the wother From Rain) My truck was 27 Ft From the Van I Said no my bump was hit Last Night and Frank said (No that 6 month old theirs No way. The impack and the force of a Vehicle going 30 mph hit the van in 1018s To Force. pushing it 3 ft, and on and on.) I was so mad - Then (Frank ask me what I wanted him to do.) I said made a report. Frank said (Your making a big mistake) I said why you gays have the gay the hit the van. Frunk Said (Your truck was not hit my that car.) I went in

the house and got my LandLord

Bob. Bob went and than to him.

Bob said what going on? Frank

Said (John truck was not hit Last

night.) Bob so when was it then.

(Awhile agon 4-6 month ago.) Bob

Said we Just use his truck wed and

bumper was not smash. Bob and

Frank arged and I pick piece of

glass and showed it to Frank. Then

he said (I take pic's and odd it

to the Breport) He told 5 pic's.

Then He Left.

I have attached defective cash report.

I have attached some pic's of truck damage 106725-2406

770-952-0200

FLORIDA TRAFFIC CRASI EPORT

DO NOT WRITE IN THIS SPACE

LONG FOR : M

MAIL TO: DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES TRAFFIC CRASH
RECORDS, NEIL KIRKMAN BUILDING, TALLAHASSEE, FL 32399-0537

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	ı		E(S) N S E W	2. UNDIVIDED 17	th Street
	Ļ	100		FROM INTERSECTION OF (atreet, road or highway)	
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	a la	05 Heavy Truck - 2 or more rear axies 05 Public Transportation 04 Saddle Mount / Flatbed 05 Public School Bus 05 Boat Trailer	4 Foreign 5 Unknown	3 Fatigue / Asleep 3 Drugs - Under Influence 4 Hearing Defect 4 Acottol & Drugs - England	
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1 4	יו=	8 Bus (driver + seats for over 15) 09 Fire / Rescue 09 Towed Vehicle	5 E/Operator 3 Histophic	7 Other Physical Defect	5 Rear Center
~	- 1 1	2 Moped 11 Other Government 77 Other	7 Other REQUIRED 0.5V	1 None 1 Not in use	7 in Body Of Truck
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	7	7 Other 15 Cargo Van 77 Other	2 No 2 Female 2 Female	4 Incapacitating 4 Air Bag - Deployed 5 Fatal (Whithin 30 Days) 5 Air Bag - Not Deploye	d 1 No
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			Page <u>1</u> or 5		

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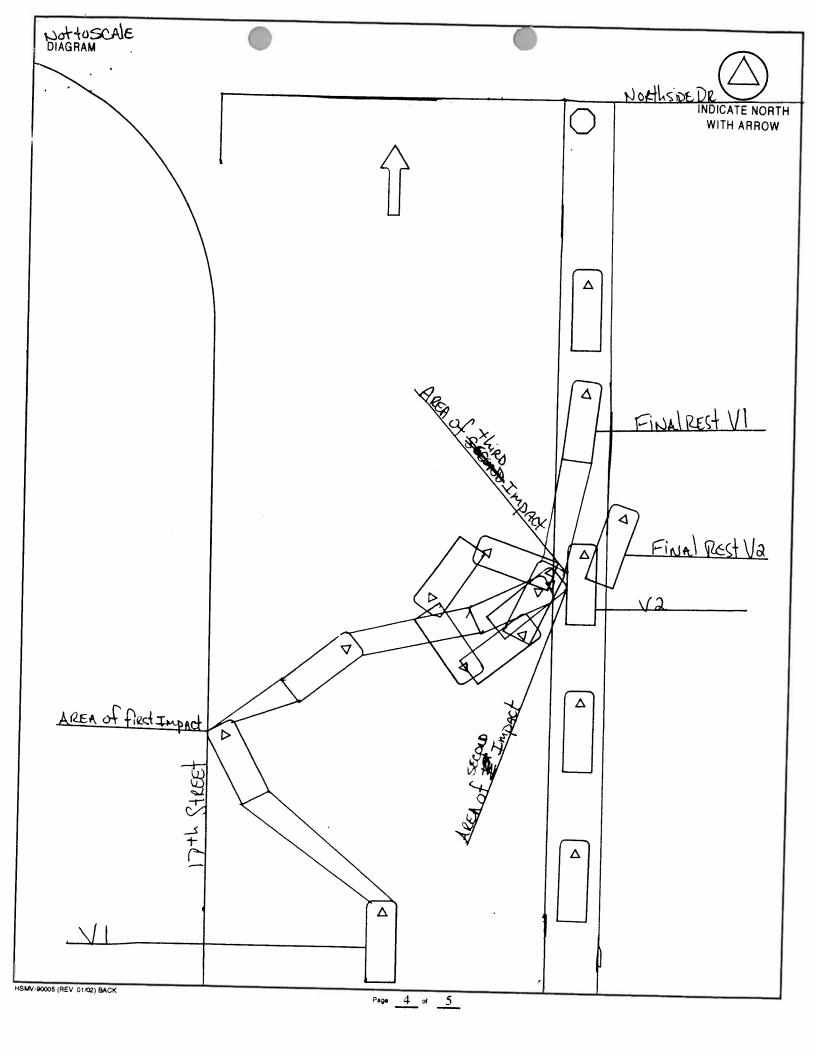
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MAIL TO: DEPARIMENT OF HIGHWAY SAFETY & MOTOR VEHICLES, TRAFFIC CRASH RECORDS SECTION, NELL KIRKMAN BUILDING, TALLAHASSEE, FL 32399-0500

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Key West Police Department Witness List



OCCURRED: Day: FRIDAY

Date: 10-04-08 Time: 0047

	, 10,0	/0 04 00	1111e: 009/		
ODES:	S = Subject of Complaint	C = Complainant	W = Witness	0 =	Other
	N. Older and				Jaior
	Name: RICHARD DANIEL LEWIS	Age:	DOB: 02-14-90	Page (1	
\mathcal{N}	Home: 3722 CINDY AVE		1 - 02.02.19-10	Race: W	Sex:
DI	₩ Work:			Phone #	
	Local:	· · · · · · · · · · · · · · · · · · ·		Phone #	
To the Management of	If temporary, until when?			Phone #	
OWNER	Name: WAYNE KIFY Home: 1009 17+5+	Age:	DOB:	Race: W	Sex: /
01	Work: Local: If temporary until when?			Phone #	
V2	Tocale			Phone #	
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	Name: Justin Blanchard				
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INVESTIGATOR: Rank: Of C Name: N REVOREDU	ID# 2962
SIGNATURE:	Date: 10-04-08
PAGE 5 OF	5

WUPDATE CONTINUATION MAIL TO: DEPT. OF HIGHMAY BAPETY & MOTTOR VEHICLES, TRAFFIC CRASH RECORDS, NEL KRIGMAN BUILDING, TALLAMASSEE, FL. 32300-0000	DO NOT WRITE IN
	DATE OF CRASH COUNTY/C

2	MATU	PITE	164 T3 MC	SPACE
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					****		, FL 32369-090	•										
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1	TSMV-	90004 (Rev. 1	/02)	•	_	U \	i		Page 01 o	, 03								

CONTRIBUTING CAUSES - DR	IVER / PEDESTRIAN	VEHICLE DEFECT		V	EHICLE MOVEME	- T		VENN: E	CDECIA	FI NICE		
02 Careless Driving	, 44, 44, 44, 44, 44, 44, 44, 44, 44, 4	01 No Defects 02 Def. Bruises 03 Worn / Smooth Tires		01	Straight Almod Slowing / Slopped / I		- [] 1	1 Nette	SPECIAL	FUNCI	KONS	
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05 Improper Lane Change 06 Improper Turn		06 Pullabure / Blowest			i Backing Making Right Turn	08		4 Recreation			1	
07 Alcohol - Under Influence		08 Steering Meeh. 07 Windehold Wipers		04	Changing Lance	11 /	Pecaling	1 Construc	cy Operatio Con / Maint	n Kance	<u> </u>	
OS Drugs - Under Influence OS Abshel & Drugs - Under Influence		06 Equipment / Vehicle Defect	77 All Other	%	Briaring / Leaving P Property Parted	Paun		OURCE Not Applic	OF CAR			ON.
10 Pollowed Too Closely			(Explois I	n Navradou) Ci	Improperly Parted	77 #	All Other (Explain	2 Shipping I	Pepers	ــــــــــــــــــــــــــــــــــــــ	┵┰┶	Ц,
11 Disregarded Traffic Signal		POINT OF COLLISION	7.7		Making U-Turn			S Vehicle SI Driver	ide		ı	
12 Exceeded Safe Speed Limit 13 Disregarded Stop Sign	19 Improper Load	01 On Road 02 Not On Road 03 Shoulder	┌┶┵┰┶	┷╮┢	DESTRIAN ACTIO	~		Other				
14 Falled To Maintain Equip. / Vehicle	20 Districtorded Other Treatie Contra	04 Median	77	01	Creesing Not At Inter Creesing at Mid-blood	rection 07	Other Working					
10 minutes Property	27 Pleaks Police	05 Tum Lane	<u> </u>		Crossing at Mid-blod Crossing at Intersect		In Road					
16 Drave Left Of Carter 17 Exceeded Stated Speed Limit	23 Vehicle Modified	WORK AREA	П		Walking Along Road 9	With Tradic	Standing/Reying In Road		-		Щ_	
18 Obstructing Truffe	24 Driver Distruction (Explain in Namative)	02 Nearby 05 Entered	╶┌┸┹┑		Walting Along Road / Working on Vehicle in	Against Traffic es	Sionding in Podoutrie	an foliand		ı		
	77 All Other (Explain in Nerralive	O DIMPH	01			77	All Other (Explain in	Nemative)	Ĺ	L		
FIRST/ SUBSEQUENT HARMFL	JL EVENT(S)	1				**	Unknown					
\$1 Collision With MV in Transport (Ros	r End) 15 Collision With Anima	29 MA	/ Ram Into Dilioh	/Culvert	1 —							
82 Collision With MV in Transport (Nos 83 Collision With MV in Transport (Ang			n Off Road into	White	┸┰┸┑							
04 College With MV in Transport (Left	Po) 17 MV USSty Pole / Light P Turn) 18 MV Hit Guerdreil		erturned	77	,							
05 Collision With MV in Trunsport (Rigi	M Turn) 19 MV Ht Fence		cupent Fell From Index! Trailer Jan		-							
68 Colleion With MV in Transport (Sid	sewips) 20 MV Hit Concrete Bar	nian Minii a a ay										
67 Collision With MV in Transport (Bos OS Collision With Parteel Car			plosion		1							
09 Collision With MV on Roadway	22 MV HR Tree / Shrubber 23 Colleion With Construel		with Rumaway ngo Logg or Shill	.								
18 Collision With Pedestrian	24 Collision With Traffic Ga	39 Sep	arelian of Unite		4							
11 Collision With Bicycle	25 Colleion With Crash All		Sien Crossover									
12 Collision With Bloyole (Bitto Lane) 13 Collision With Mappel	26 Collision With (Fixed Obj 27 MV Hit Other Fixed Obj	est Above Road '' All	Other (Explain b rative)	" <u> </u>								
14 Collision With Train	28 Collision With Movemble											
			/ADD/200	NAL NARRATI								
Predicate: On October 4th 2008 at 12	240AM Police with warm and to a	Lik B 22.2 63.66	(ALLUINO	MANUE NOVEMBER 11	<i>n</i> =)							
	Provide Color Color Will Bell Color	mar act trust in the area of 100	0 17th St. I als	o responded to th	a scane							
Y							***					
I responded to 17th St in regards to a	follow-up crash investigation rega	rding the fore mentioned.	l actived and to	set with the report	ting person. Mr. Ou	D. Mr. Onn nerwis	ب سنسراله ودا	-4				
							and the state of t					
Stated his vehicle was pushed three	(3) But from where it was original	ly necked . In the the im-										
		-, person in mo, me all	her war' sol	great I could not a	tart my truck."	· · · · · · · · · · · · · · · · · · ·						
Hadan and 133 t												
 Had re-onforced his bumper previo 	usly (date unknown) due to having	been rear-ended in the past	t									
							·					
 Called his insurance company to me 	uke a claim											
	······································											
nvestigation:												
The vehicle recentrally demand is an												
The vehicle reportedly damaged is an	orges modes brough grack with ext	ensive damage to the rear p	certion of the v	chicle, especially	the rear bumper. Di	surage is old sinor	there is corresion:	orenent (se	had that -		F4bm 2mm	.
										- Carolin O	ue ou	per nev
inintegrated). The bumper also has ex	densive "Bondo" repair and crush :	See photos 1-6 for forther n	nievance Taili	ialta mara interet	hart makes							
	······································			William work miles	but unknown if oper	mochai. Prick ha	s an "Autometic" to	nanission	and was i	a "Park"	when I v	icwed it
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			ADDITIONAL	PASSENGERS								
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						CHARGE					TION NU	
SECTIONS SECTIONS MV-60004 (REV. 01/02) BACK												

CONTRIBUTING CAUSES 11 No improper Driving / Auk.	- DRIVER / PEDESTRIAN	VEHICLE DEFECT		VEHICLE MOVE							
02 Carelose Driving 03 Falled To Yield Right-of-V		01 No Defects		O1 Straight Ahead		- - 	VEHICLE Name	SPECIA	FUNCT	ЮИЗ	
04 Improper Becline	=y	03 Worn / Strooth Tires 04 Defective / Improper		02 Slowing / Stoppe 03 Making Left Turn	d/States		l Farm Police Pu			┌┶	┸┰┺
05 Improper Lane Change 08 Improper Turn	 	04 Defective / Improper Defective / Improper OS Plantare / Bloward		04 Beeting 05 Meting Right Tu	į.		Recreation	nel			
97 Airebel - Under Influence GB Drugs - Under Influence	1 1	08 Meeting Meet. 07 Windshield Wilpers		06 Changing Lanes	11 8	essing	Construct	y Operation	n Toron	Ь	_JL
CIS Alashai & Drugs - Under Ind	venos -	06 Squipment / Vehicle Defect	77 All Other	US Properly Parteed	ng Platking Space 12 C Run	Privariess or S	OURCE	OF CAR	RIER IN	ORM	MOIT
10 Pallaced Toe Closely 11 Disregarded Traffic Signal		POINT OF COLLISION	Combata la same e	09 improperty Pertu 10 Making U-Turn		A Other (Explain)	Not Applic Shipping F Vehicle St	1000		┵┰┤	
12 Exceeded Safe Speed Limit	<u> </u>	01 On Road 02 Not On Road		-		14	Driver Other	_	- 1		
15 Digregarded Stop Sign	19 Improper Load 20 Disregarded Other Traffic Contr			PEDESTRIAN AC	TION		Cener				
14 Passe To Mointain Equip. / V 15 Improper Passing	ohiole 21 Driving Wrong Side / Way 22 Reeing Police	06 Turn Lane		81 Creesing Not At to 02 Cruesing at Add-b	dersection 07 lock Crosswalk	Other Working in Resel					
18 Drove Left Of Center 17 Emended Stated Speed Lim	23 Vehicle Modified	WORK AREA 01 None		O3 Creening at Intere		Standing/Raying in Road				٦	
18 Obstructing Traffic	in Namedous	02 Nearby	┌┶┙┰┶┙╮	95 Walking Along Ro OS Working on Vehic	ed Against Tradle	m rang Manding in Pedagiris		Γ			
	77 All Other (Explain in Narrative	09 Criment	1 1 1	Or House & Cit & Sale	77	All Other (Explain in)		Ĺ	L		
FIRST/ SUBSEQUENT HA					-	Unitrown					
81 Collision With MV in Transpor 82 Collision With MV in Transpo	Gland On) 18 secum com com m		Ran Iráo DBoh/Culvert								
03 Colleges With MV in Transpo	f (Apple) 47 and a management of the contract		Off Road Into Water								
04 Collision With MV in Trussper 05 Collision With MV in Trussper	CLAST THESE TO SEE THE CO. C.	32 Oes	spent Fell From Vehicle								
96 Collision With MV in Tropped	(Chiarries) 20 MV Ht Concerns Re-		tor/ Trailer Jackteilled								
07 Collision With MV in Transpo 06 Collision With Perhad Car	t (Desked Inte) 21 MV Ht Bridge/Plank	Abutment/Reit 36 Expt	osion								
00 Califolian With MV on Roads	22 MV HR Tree / Shrubber 48y 23 Colleion With Construe		nhill Runaway o Loss or Shilt								
16 Collision With Pedestrian	24 Collision With Traille G	ule 35 Supa	ration of Units								
11 Collision With Bioyele 12 Collision With Bioyele (Bibe Li	25 Colleion With Creek All ne) 28 Colleion With Fleed Ob		iin Crossover Iher (Explain in								
13 Collision With Manad	27 MV HR Other Pland Ob	net Part	the)								
14 Collision With Train	28 Colleion With Movemble	Object On Road									
Investigating the m	or human I asuld c		(ADDITIONAL NAR	RATIVE)							
THE OCCUPANT OF THE PARTY OF TH	ear bumper I could not f	ind any new dama	age. Nor could	I locate a "del	bris field" un	demeath (S	ee nh	ntos 4	&5\	Sino	
good portion of the	human #D					(,	∞ pii	0003 7	awj.	2110	ca
good position of the	bumper was "Bondoed	" a good portion v	vould have bee	n broken off i	n the impact	Mr Onn	caid tl	a voh	iolo -		
for "Three fact b	.T	-				Орр	salu u	C ACII	icie w	as p	ISDEC
TOT TIMES ISSUED	t I could not locate any	drag marks unden	neath the rear v	vheels (photo	6) nor could	T motob o-					
					o) III could	I match any	type	OI CIU	sh cor	isiste	:nt
with his statement.											
			· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·						
Photos 7 & 8 show	distinct yaw marks left	by vehicle 1 (VI) in the initial r	PROPE After in	mmaatith	1:1 0 00					
			/ 11M, AM 1	opore Arter II	iipaica with ve	enicie 2 (V2	!) VI v	was re	direct	ed	
westerly coming to	rest in the roadway. The	ese vaw marks are	: annovimetel	5 foot more	C						
	rest in the roadway. The		- approximate)	J Icel away	ilom where t	ne pickup v	vas pa	rked a	nd sho	ם אכ	0
further impact or re	direct.										
						-					
Photos (8) are attac	hed to the report and the	ed was placed in	to our Dromant	//?: 4							
		va was placed in	to our Property	/Evidence							
	·····										
····											
MEDIA PASSENGER'S NAM		CURRENT ADDRESS	DOITIONAL PASSENC	ERS .							
				CITY & STATE	ZIP CODE	DATE OF BIRTH	RACE	क्ट्रप एठर	NJS.	FOUR	EJECT.
SECUPASSI PASSINGERS NAM											
	-	SURRENT ADDRESS		CITY & STATE	ZIP CODE	DATE OF BIRTH	RACES	EX LOC	lark.	-	
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ECOPASSI PASSENGER'S NAME						Ì	1				
ASSENGER'S NAME	C	URRENT ADDRESS		CITY & STATE	ZIP CODE	DATE OF NEWS				\perp	
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ECHPASSIPASSENGER'S NAME	a	URRENT ADDRESS	····	·			1 1			1 1	
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SECTIONS	NAME OF VIOLATOR	FL STATUTE	NAMER		CHARGE						
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ISMV-90004 (REV. 01/02) BACK											
			Page 03 at								1

KEY WEST POLICY DEPARTMENT Key West, FL

O Trial Evidence

Check ONLY ONE:

PROPERTY RECEIPT

	NLY ONE:	O Trial Evidence		Lab Evid	dence		O Found	Property
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William A. Maeldin Chief of Police

Non-Emergency 305-809-1111

Chief's Office 305-809-1042

Administration

Succial Services 305-809-1083

<u>Records</u> 305-809-1073

Property-Evidence 305-309-1041

> <u>Professional</u> <u>Standards</u> 305-209-1035

Community Affairs 305-809-1008

Public Information 305-809-1058

Detectives 305-309-1015

Patros Division 345-809-1013



Key West Police Department

Respect Integrity Fairness

FAX COVER SHEET - Office of Internal Affairs (305) 809-1081

From Fax Number: (305) 809-1064
To Fax Number: 305- 393-9827
Date: /J-15-08
Sent To:
Attention: STEPHEN MUFFLER
From: RANDY SMUTH
Reference:
Number of Pages: 15 INCLUANG COUR
Message:

**This fax may contain information that is confidential and is intended for the recipient specified. If you have received this fax in error, please return to (305) 809-1064 and delete from your files.



Donald J. Lee, Jr.

Chief of Police



Rey West POLICE DEPARTMENT

TO:

File

FROM:

Inspector Randy Smith, Office of Internal Affairs

(18

DATE:

October 16, 2008

RE:

John Opp Crash Complaint

On October 14, 2008 I received a call in complaint regarding a traffic crash which occurred on October 04, 2008. John Opp (Complainant) stated he felt the crash report had inaccuracy within it. He explained during the crash in question his truck was struck, but this was not reflected in the report. I explained to him I would review the report and get back to him. I reviewed the crash reports (08-400904) which consisted of an initial crash report written by Ofc. Revoredo and a supplement written by Sgt. Blasberg. These reports both reflected that Opp's vehicle was not involved in the crash and Sgt. Blasberg's goes into detail describing how he was able to determine almost twenty four hours later, how the physical evidence showed it was not involved. Sgt. Blasberg was Traffic Supervisor for approximately two years before going to the road as a supervisor. Sgt. Blasberg is recognized as an expert in crash reconstruction and traffic homicide investigation.

I also pulled the photographs taken as evidence from the night of the crash and reviewed the skid marks. I could not see anyway Opp's vehicle could have been struck based on the skid marks and the track of the vehicle. I attempted to contact Opp's witness Justin Blanchard and received no return call. I spoke with Ofc. Revoredo and he indicated that Blanchard never made any statement to him about Opp's vehicle being struck, although he did speak about other vehicles being struck.

As a finial step I took all the evidence to Officer Kevin O'Connell who is also an expert in traffic crash reconstruction and traffic homicide investigation. Ofc. O'Connell did in independent review with all the evidence presented and told me there was no way Opp's vehicle was involved in the crash and received the damages stated.

On the evening of October 15, 2008 I spoke with Opp and explained KWPD position and that we would not change the crash report and the matter was now closed. Opp stated he was going to explore other avenues to resolve the issue.

Note: As of December 09, 2008 I have not received a return call from Opp or Blanchard regarding this case.



Respect - Integrity - Fairness



FLORIDA TRAFFIC CRASH REI

DO NOT WRITE IN THIS SPACE



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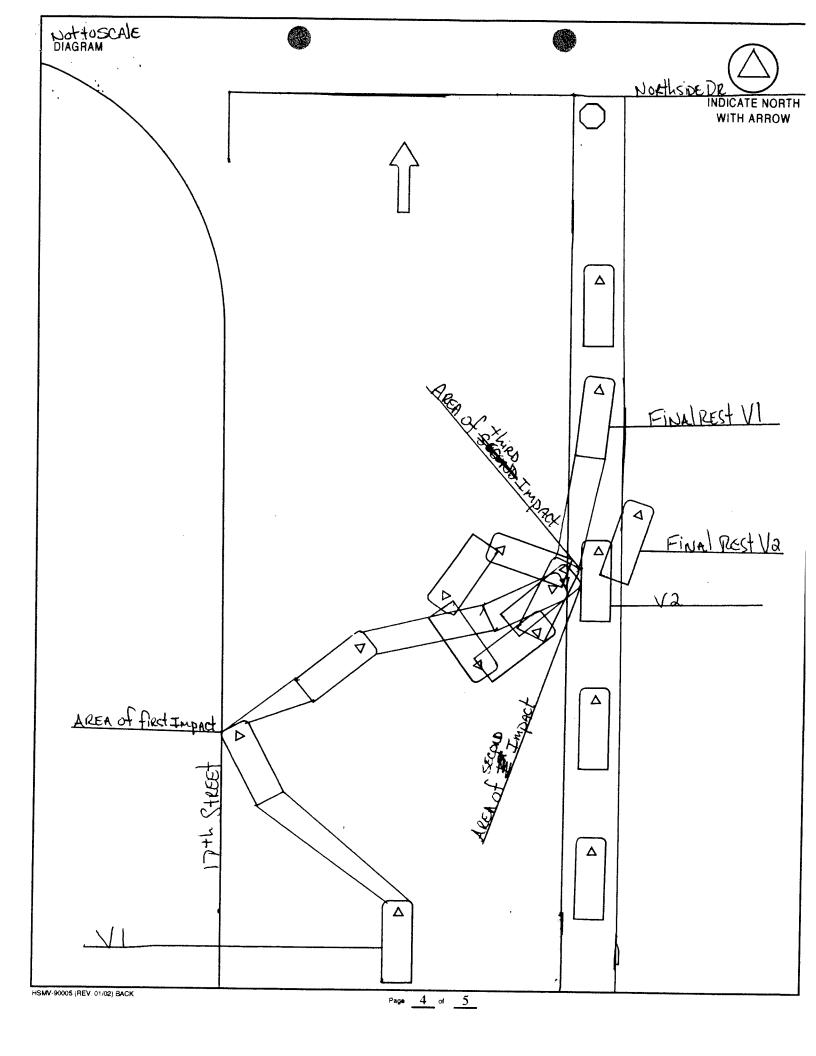
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NARRATIVE / DIAGRAM

DO NOT WRITE IN THIS SPACE

MAIL TO DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES, TRAFFIC CRASH RECORDS SECTION, NEIL KIRKMAN BUILDING, TALLAHASSEE, FL 32390-0500

No local part 10 04 08 38 / 42 08-400904 76068730 V1 was traveling northbound on 17th Street. V2 was legally parked on the 1000 block of 17th Street. V1 hit the curb on the left side of the street, traveled to the right side of the street and collided with V2. V1 spun and collided with V2 a second time. D1 of V1 exited the vehic and fled the scene. D1 of V1 later returned to the scene where he attempted to flee upon our arrival, but the witness to the crash held D1 we were able to detain him. D1 was issued two citations, Careless Driving and Crash-Leaving the scene without leaving information with property damage. There were no injuries. I checked other vehicles for damage, but did not find anything which indicated new damage relating to V1 on any vehicles in the area.	cle unti
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Key West Police Department Witness List



INCIDENT NATURE: \leq \leq \geq \geq CASE NUMBER: 08-400904 OCCURRED: Day: FRIDAY Date: 10-04-08 Time: 0047 CODES: S = Subject of ComplaintC = Complainant W = Witness O = Other Name: RICHARD DANIEL LEWIS Age: DOB: 02-14-90 Race: W Sex: M Home: 3722 CINDU AVE Phone # DI Work: Phone # Local: Phone # If temporary, until when? Name: WAYNE KILEY Age: DOB: Race: W Sex: M Home: 1009 17+h Phone # Work: Phone # Local: Phone # If temporary, until when? Name: Justin Blanchard Age: DOB: Race: W Sex: M Home: 1013 17+1 STREET Phone # 305-923-353 Work: Phone # Local: Phone # If temporary, until when? Name: DOB: Age: Sex: Race: Home: Phone # Work: Phone # Local: Phone # If temporary, until when? Name: Age: DOB: Race: Sex: Home: Work:
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INVESTIGATOR: Rank: Of C Name: N REVOLEDO	1D# 2962
SIGNATURE: M. M.	Date: 10-04-08

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ZIP CODE WITHESS NAME (2)

1 0 0 4 0 8

IF NO, THEN WHY?

Page 01 or 03

1598/S-26

CURRENT ADDRESS

KEY WEST POLICE DEPT

1 Yes 1

CITY & STATE

IF YES, BY WHOM?

CURRENT ADDRESS

IF NO , THEN WHERE?

HSMV- 90004 (Rev. 1/02)

CITY & STATE

ESTIGATION 1 Yes 1

,	4	FB (SF -	POTTWAN	Type Operation		VEHICLE MOVEMENT	_	VEHIC	E epr	CIA	E) In	TION	e e	
CONTRIBUTING 81 No Improper Drive		ER / PED	SIKIAN	Of No Defects	<u>" </u>	01 Straight Ahmad	70	1 Name	ESEI	· CAPA		LICH	'n	П
02 Carelons Driving	١, , , .		┕ ┹┰	02 Def. Brakes 03 Worn / Smooth T		92 Slowing / Slopped / Stat 03 Making Left Turn		2 Farm 3 Poles	Beerl			Г		_
O3 Felled To Yield O4 Impreper Backing		l		04 Defective / Impri Lights 05 Puncture / Moure	aper	04 Becking	08	4 Recre					1	1
06 Improper Lamp O		<u> </u>		05 Punchire / Blees 06 Gleering Mesh.	-	OS Making Right Turn OS Changing Lance	11 Passing	5 Emerg						
08 Improper Turn 97 Alsebel - Under I	Influence	1		07 Windshield Wipe		07 Briaring / Leaving Parl	tine Space 12 Driverio	SOURCE	EOF	CAR	शहर	NFOR	MATIC	N
06 Drugs - Under Int	fluence	<u>_</u>		08 Equipment / Veh Deliest	77 All Other	06 Property Perted	Runaway V 77 All Other	Muhicille 1 Hot Ap (Explain 2 Shippi	pilicable 1g Papa	T	,	Ц	ш	,
CIS Alouhoi & Drugs				BOULE OF COLL	(Explain in Narra	(06 Improperty Parland 10 Making U-Turn	in Narrai				- 1			1
10 Pallowed Too Ck 11 Disregarded Tree		L		POINT OF COLL	ISKUN			5 Other			L	1		
12 Bressded Safe S		19 Imprope	er t ment	01 On Rossi 02 Not On Rossi 03 Shoulder	_ 	PEDESTRIAN ACTION								
13 Disregarded Stop	p Sign	20 Divregar	rded Other Traffic Control	04 Median	77	81 Creating Net At Interse 02 Creating at Mid-block C	ction (17 Other) Crosswelk in Res							
14 Falled To Maintel			Brong Side / Way Deller	05 Turn Lume		03 Crossing at intersection	o 06 Standi	ng/Maying		_	Д		_	
15 Improper Passing 16 Drove Left Of Co		22 Pleating : 23 Vahiole (WORK AREA		O4 Walking Along Road W 95 Walking Along Road Ap	Admin Tradition			ſ			1	
17 Exceeded States			lairection (Explain	02 Nearby	┌╘┪╻╘┙ ┑	06 Westing on Vehicle in I	Donald Comment	ng in Podestrian Islan ar (Explain in Namali]	
18 Obstructing Traff	-		r (Explain in Narrathy)	OS Entered	01		88 Unimo		-	_			_	
		# D#\#		<u> </u>										
FIRST/ SUBSEC			5 Callisian With Anims	4	29 MV Ran Into OttoNCulvi									
82 Collision With M			6 MIV Hit Sign / Sign Pos		30 Ran Off Road into Water	, [
03 Collision With Mi			7 MV USBy Pole / Light P	de	31 Overlamed	77								
94 College With Mil			& MV HIt Guerdreif		32 Occupant Fell From Veh	~ <u> </u>								
G5 Collision With M			9 MV Hit Fence D MV Hit Concrete Ser	rier While	33 Tractor/ Trailer Jackinii 34 Pira	-								
86 Collision With MR			1 MV Ht Bridge/Plan#		36 Explosion									
GB Collision With Pa			2 MV Hit Tree / Shrubber		36 Dourhill Runaway									
00 Collision With I		2	3 Collision With Construe	Gun Berricade Sign	37 Curgo Lous or SME 36 Superation of Units									
18 Collision With Po			4 Colleion With Traffic G		39 Median Crossover									
11 Collision With Bi			5 Colleion With Crash Ali 9 Colleion With Pased Ob		77 All Other (Explain in									
12 Collision With Bi 13 Collision With M			7 MV Hit Other Fland Obj		Narrativo)									
13 Collision With It 14 Collision With Tr			S Collision With Movembl				,	<u></u>						
					(ADDITIONAL	. NARRATIVE)								
Products On Ord	iobar 4th 2008 at 1	240AM Pri	lice mile were sent to r	hit & run in the see	a of 1000 17th St. I also re	sponded to the souns								
THE COLOR														
I responded to 17t	th St in regards to	a follow-up	omah investigation rep	parding the fore men	ioned. I arrived and met v	vits the reporting person, Mr. Opp	Mr. Opp provided th	e following statem						
		. m		ally naskad in the	• the immed was *en ence	t I could not start my truck."								
- Semen las versos	e was pusted uno	G (3) BOK II	OH ADDE II AR OTHER	may person in the	content and so from	T COLUMN THE CASE OF THE CASE								
1														
- Had re-enforced	d his bumper previ	iously (date	unknown) due to havin	ng been rear-emded is	the past									
														
G. W. 4 N		سنداد د دادد												
- Called his maxim	name company to a	marce a claim	<u> </u>											
		,												
Investigation														
The vehicle repor	ctedly damaged is	en older me	odel pickup truck with	extensive damage to	the rear portion of the vehi	icle, especially the rear bumper. D	namege is old since the	re is carration pres	ant (so	bed th	at port	ions of	the bus	mper har
•														
disintegrated). Th	ne buemper also has	colemite '	Bondo" repair and crus	nh See photos 1-6 for	further relevance. Tailligh	de were intact but unknown if ope	erational. Truck has an	"Autometic" trans	TRANSCOR.	and w	- III '	Park	Appear 1	newed:
1														
1														
					ADDITIONAL P	ASSENGERS CITY & STATE	ZIP CODE	DATE OF COME		ee or	100	<u> </u>	-	
SECH ASSI PAS	BEINGER'S NAME			CURRENT ADDRE	200	CITESIAIR	AIF CODE	DATE OF BIRTH	~~E		المرن	-~	- E40/II	1
SECUPASSIPAS	Serve Strive			CURRENT ADDRE	53	CITY & STATE	ZP CODE	DATE OF BERTH	RACE	SEX	LOC	NJ S	EUL	EJEC
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				CURRENT ADDRE	33	CITY & STATE	ZIP CODE	DATE OF BARTH	RACE	SEX	LOC	IN S	. EOU	EE
SECUPASSI PAS	ISENGER'S NAME													
SECIPASSI PAS	ISENGER'S NAME								ı	_				1
SECRIPASSI PAS	ISBNGER'S NAME									73.01	roc	NJ S	. EQLIE	EJEC
SECHPASSIPAS				CURRENT ADDRE	38	CITY & STATE	ZIP CODE	DATE OF BIRTH	RACE	SEA			í	1
				CURRENT ADDRE	258	CITY & STATE	ZIP CODE	DATE OF BIRTH	RACE	SEA		- 1		1
SECULPASSI PAS	SENGER'S NAME													
	SENGER'S NAME			CURRENT ADDRE		CITY & STATE	ZIP CODE	DATE OF BIRTH				NU S	FOUR	EJEC
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			÷					
CONTRIBUTING CAUSES - DRIVER	PEDESTRIAN	VE DEFECT		VEHICLE MOVEMENT Of Straight Ahead		1 Nane	SPECIAL FUN	CTIONS
02 Caretree Driving 03 Felied To Yield Right-of-Way	_ 	02 Def. Brates 03 Wern / Smooth Tir 04 Defective / Improp Lights 06 Paresture / Steward		62 Slowing / Slopped / Sta 03 Making Left Turn 04 Basing		2 Farm 3 Polles F 4 Regress		
04 improper Southing 05 improper Laine Change		06 Princture / Stewars 06 Steering Mesh.	·	05 Matting Right Turn 05 Changing Lance	11 Passin	5 Emerge	ney Operation ction / Melabonene	
06 improper Turn 87.Alcuhel - Under Influence		07 Windshield Wipers 06 Equipment / Vehic		07 Entering / Leaving Per 08 Property Period		SOURCE	OF CARRIER	INFORMATION
DB Drugs - Under Induses DB Alsohel & Drugs - Under Induses		Defeat	77 All Other (Explain in Nurral		77 All Othe in Name	r (Explain 2 Shipping	Pepers (
10 Fellowed Toe Closely 11 Diametrical Traffic Signal		POINT OF COLLS	SION	10		4 Driver 5 Other		
12 Exceeded Safe Speed Limit 19 to	nproper Load	01 On Road 02 Not On Road 03 Shoulder	┌┶┹┧╌┺┹┑	PEDESTRIAN ACTION	ti etten 07 Other	Vikelding		
14 Fellod To Maintain Equip. / Volviele 21 D	teragerised Other Traffic Contro riving Wrong Side / Way	04 Median 06 Turn Lune		91 Creating Net At Interes 02 Creating at Mid-block 03 Creating at Interestio			П	П
16 Drove Left Of Center 23 V	Pooling Pulled Vehicle Modified	WORK AREA		O4 Whiting Along Road W 95 Walking Along Road A	Mb Traffic in Re	er · ·		T
18 Obstructing Truffic	river Distraction (Explain Neuralive)	02 Nearby 03 Entered		06 Worlding on Vehicle in	Road 77 All OI	ing in Pedestrian island her (Explain in Namative	, L	
	if Other (Explain in Nerralive				86 Union	oen .	•	
FIRST/ SUBSEQUENT HARMFUL EV 01 Collision With MV in Transport (Roor End)			29 MW Rain Into Dillat/Culve	• 🗆 🗅				
82 Collision With MV in Transport (Flood On) 93 Collision With MV in Transport (Angle)	16 MV Ht Sign / Sign Por 17 MV USBy Pole / Light P	_	30 Run Off Road Into Whiter 31 Overturned					
04 Collision With MV in Trunsport (Loft Turn)	18 MV Hit Guardrali	:	32 Occupant Fell Prom Vehi 33 Traetor/Trailer Jackiniii					
96 Collision With MV in Transport (Right Tur 86 Collision With MV in Transport (Sideswip	(a) 20 MV Hit Conorate Bar	vier Wall :	34 Fire	⁷				
87 Cullisian With MV in Transport (Bushed I 08 Cullisian With Parted Car	nie) 21 MV Hit Bridge/Pler// 22 MV Hit Tree / Shrubber	·	36 Explosion 38 Downlift Runaway					
00 Collision With MV on Roadway	23 Collision With Construe	dan Berrieede Sign	37 Carge Loss or Shift 38 Supersion of Units					
10 Collision With Pedestrian 11 Collision With Micyele	24 Collision With Traffic 6 25 Collision With Crash Al	tenuntors	39 Medien Crossover 77 Ali Other (Explain in					
12 Collision With Stepule (little Lane) 13 Collision With Maped	26 Colleien With Flood Ob 27 MV HR Other Flood Ob	heat voews uses	Narrullve)					
14 Collision With Train	28 Collision With Movembl	e Object On Road	(ADDITIONAL	MASSATIVES				
Investigating the rear bu	mper I could not i	ind any new	damage. Nor co	uld I locate a "debi	is field" unde	erneath. (See	photos 4 &	25). Since a
good portion of the bum	ner was "Bondoed	i" a good por	tion would have	been broken off in	the impact.	Mr. Opp said	i the vehic	le was pushed
for "Three feet" but I con	uld not locate any	drag marks u	inderneath the r	ear wheeis (photo o) nor could 1	maich any ty	pe or crusi	COINSISTER
with his statement.								
Photos 7 & 8 show disti	inct yaw marks lei	ft by vehicle	l (VI) in the ini	tial report. After in	pact with vel	hicle 2 (V2) V	/1 was red	irected
westerly coming to rest	in the madeure. T	haca yayı mar	tre are annovir	notehu S feet away f	inm where th	e nickun was	narked an	d show no
westerry coming to rest	in the loadway. If	iese yaw mai	iks are approxim	Eacly 5 loct away 1	IOIII WILCIC III	e perup was	prince un	a sabw as
further impact or redirec	1.							
Photos (8) are attached t	o the report and th	ne cd was pla	ced into our Pro	perty/Evidence				
SECULPASSI PASSENGER'S NAME		CURRENT ADDRE	ADDITIONAL P	ASSENGERS CITY & STATE	ZIP CODE	DATE OF BIRTH	ACE SEX LOC	NU S. FOUR. EUG
SECRIPASSI PASSENGERS NAME		CURRENT ADDRE	SS .	CITY & STATE	ZIP CODE	DATE OF BIRTH	VACE SEX LOC	NU S. ECUTP. EJE
SECRIPASSI PASSENGER'S NAME		CURRENT ADDRE	58	CITY & STATE	ZIP CODE	DATE OF BIRTH	WE SEX LOC	NU S HOURE EJE
SECUPASSI PASSENGER'S NAME		CURRENT ADDRE	58	CITY & STATE	ZIP CODE	DATE OF BIRTH	NCE SEX LOC	NU S. EQUIP EVE
SECUPASSI PASSENGER'S NAME		CURRENT ADDRE	SS	CITY & STATE	ZIP CODE	DATE OF BIRTH	LACE SEX LOC	INU S. EQUIP. EJEC
7,000								
SECRIPASSII PASSENGER'S NAME		CURRENT ADDRE	38	CITY & STATE	ZIP CODE	DATE OF BIRTH	LACE SEX LOC	NU S FOLHP EJEC
TANKE S INVE		TANKE TO COMPANY						
I SECTIONS I	NAME OF VIOLATOR		FL STATUTE NUMBER		CHARGE			CITATION NUMBER
® SECTIONS	PARTY OF TRALATOR		, 2 GIA/GIE HUMBER					
SECTIONAL	NAME OF VIOLATOR		FL STATUTE NUMBER		CHARGE			CITATION NUMBER
SECTIONS								
HSMV-90004 (REV. 01/02) BACK			L					<u> </u>

KEY WEST POLICY DEPARTMENT Key West, FL

O Trial Evidence

O. Safekeeping (Return)

Check ONLY ONE:

O Prisoner Property

PROPERTY RECEIPT

O Found Property

O For Destruction

	NUMBER:	257	DATE	TIME IN		DED: 123	Man I	UMBER	SEO w	-ANN C
EXACT	ADDRESS WI				OF CA		100			1 71
	APOUNDED:				1 22 12					
Mitte.	5:. K	w.fc	e-1)		ZASH	- [1. 1. 1. 1. 1.
CODES	St S = SUSPEC	CT A = A	RRESTE	O Feld E V =	VICTIM	O = O	WNER	R = REP		isdemeanor PERSON
CODE	NAME (LAST,	FIRST MI	DDL EX	RACE	SEX	DOB		ADDRESS		PHONE
							160	4 2.		305
0	Keul	PANE	1 1 1		4	4	Mrc &	LTCT.	2 17 16	900
and the second				ine a see						
ITEM #	QUANTITY/WEIGHT/ COUNT		DESCRI	PTION (inc	luding ide	ntifying n	ı arks , seri	al number, c	color, etc.)	
工		· (1)	(x)	Phot	~ ~					
		o Granis			** ** **				. F. J. 179. A	and services and
										n e se consta
. 192										
		·								
HOLD R	EQUESTED - REC	QUESTING I	PERSON/F	PURPOSE		FORFEIT	URE/SEIZ	ZED?	NCH	CHECK!
		18 TO 18				و يا يالم				Tirk!
XYES	Invest.	CALIU		O NO	O YES		- 2.	DANO	O YES	OCNO
taken from receipt. (P	ncknowledge that the m my possession and Mease read the infor- ation of your rights e (x):	that I have r mation on the	received a control back of the	opy of this	impound Key Wes	led by me i at Police Of ounding O	n the offici ficer. fficer (x)	above repres	ce of my d	
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Received	Ву:		Reason:				Date/I	ime Receive	d:	
-										

Lab Evidence

O Stolen/Recovered



Driver And Vehicle Information Database (DAVID)

DIGITAL IMAGES ARE RESTRICTED TO LAW ENFORCEMENT USE PURSUANT TO S. 322.142(4), FLORIDA STATUTES - IMAGES INCLUDE PHOTOGRAPHS AND SIGNATURES

Individual Summary Page



DL/ID Number

Class

Status **VALID**

JOHN E OPP **1001 17TH STREET KEY WEST FL 330404234**

All Addresses On File

Date of Birth 02-03-79

Sex M

Height 5'05

State Of Birth

Arizona

Restrictions

Endorsements

Issue Date 09-27-04

Duplicate Date

Expiration Date 02-03-11

03-05-08

Form Number T710803050065

Conditional Messages:

		V	ehicle Inform	nation			
Record	VIN	Туре	Color	Body	Make	Acquired Date	Reg
View	JH27B1009FS	MOTORCYCLE	BLACK	MOTOR SCOOTER	HONDA	09-07-05	227294595
View	2GCCC14H9F1174348	AUTO	YELLOW	PICKUP	CHEVROLET	08-02-06	230536178
View	JH2TB100XGS100478	MOTORCYCLE	RED	MOTOR SCOOTER	HONDA	08-10-07	232913545
View	JH2TB1008FS000121	MOTORCYCLE	BLACK	MOTOR SCOOTER	HONDA	06-14-07	232913590
View	JN2TB1000FS000355	MOTORCYCLE	BLACK	MOTOR SCOOTER	HONDA	06-19-08	235869231

	Driver License Transactions											
Record	DL/ID Number	Transaction Date	Issue Date	Update Time	Lic Type		Change Type	FL Disp				

View	O100465790430	03-05-08	09-27-04	03-05-08 16:26:43	DL	Duplicate	None	Lost
View	O100465790430	05-03-07	09-27-04	05-03-07 10:24:03	RCT	Reinstatement	None	
View	O100465790430	09-27-04	09-27-04	09-27-04 09:30:51	DL	Original	None	
View	O100465790430	09-22-04	09-22-04	09-22-04 10:39:21	RCT	No Issuance	None	
View	O100465790430	09-21-04	09-21-04	09-21-04 09:29:37	RCT	No Issuance	None	
View	O100465790430	05-24-04	05-24-04	05-24-04 11:22:38	ID	Original	None	
View	O100465790430	05-20-98	05-20-98	05-20-98 12:14:01	ID	Original	None	

Historical Driver License Activity	
Vehicle Insurance Previous Vehicles	
Photo Array Signature Array	
New Search Main Menu	



Driver And Vehicle Information Database (DAVID)

DIGITAL IMAGES ARE RESTRICTED TO LAW ENFORCEMENT USE PURSUANT TO S. 322.142(4), FLORIDA STATUTES - IMAGES INCLUDE PHOTOGRAPHS AND SIGNATURES

Individual Summary Page

Emergency Contact Information

DL/ID Number

Class

Status **VALID**

RICHARD DANIEL LEWIS **3722 CINDY AVE KEY WEST FL 330404408**

All Addresses On File

Date of Birth 02-14-90

Sex M

Height 6'00

State Of Birth **Delaware**

Restrictions

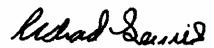
Endorsements

06-12-07

Issue Date Duplicate Date 08-26-08

Expiration Date 02-14-14

Form Number T710808260004



Conditional Messages:

UNDER 21 UNTIL: 02/14/2011 SAFE DRIVER

	Vehicle Information											
Record VIN Type Color Body Make Acquired Date Reg												
View 3FAKP1139WR231898		AUTO	BLUE	2 DOOR	FORD	04-22-08	47521432					

	Driver License Transactions											
Record	DL/ID Number	Transaction Date	Issue Date	Update Time	Lic Type	Issue Type	Change Type	FL Disp				
View	L200744900540	08-26-08	06-12-07	08-26-08 10:49:25	DL	Replacement	None	Surrendered				
View	L200744900540	08-26-08	06-12-97	08-26-08 10:39:18	EXO	Exam Only	None					
View	L200744900540	06-12-07	06-12-07	06-12-07	LL	Original	None					

				15:12:25				
	 L200744900540	04-12-01	04-12-01	04-12-01 15:00:59	ID	Original	None	
-								

Press Here for Supporting ID documents FOR OFFICIAL INVESTIGATIONS ONLY

Historical Driver License Activity

Vehicle Insurance Previous Vehicles

Photo Array Signature Array

New Search Main Menu

Citizens Review Board

From: Citizens Review Board

Sent: Tuesday, December 16, 2008 10:45 AM

To: Randall Smith

Cc: Citizens Review Board; David Smith

Subject: Jon OPP File/CRB #08-011

Attachments: OPP PICS.pdf

Hello Randy:

I am preparing this file to go before the Board at the next meeting on 12/22/08 at 6:00 p.m. I have noted that the crash reports mention pictures taken and a CD ROM as evidence. I did not receive any pictures from your office on this file.



I have attached the pictures that Mr. Opp sent our office to document the alleged damage to his truck. If your pictures are different then his, please make a copy of the CDROM and send them to me ASAP.

If you cannot attend to this matter before the meeting on Monday December 22, 2008, then please have Lt. Smith bring it to our meeting on the CD ROM and we will display them on the "big screen" using our laptop and projector. I am sure that you would agree that it is important that the Board members view all pictures that were used in the evaluation of the incident and forming the ultimate disposition of Mr. Opps claims. Thanks!

Stephen C. Muffler, Esquire Executive Director Attorney at Law

City of Key West
Citizen Review Board
P.O. Box 1946
Key West, Florida 33041
tel(305) 809-3887
fax(305) 293-9827
crb@keywestcity.com
www.keywestcity.com

Note To Recipients: Under Florida law, this communication and any response or reply to it, will be subject to public records requests/disclosure laws, unless an applicable privilege or rule of evidence applies.

Note to Citizen Review Board Members: In accordance with the Florida Sunshine Law, please do not "reply to all" if there are other board members receiving this e-mail concerning Board business. Please only reply to non-board members when responding.



P.O. Box 1946 Key West, FL 33041

Ph: (305) 809-3887 Fax: (305) 293-9827

November 6, 2008

VIA REGULAR US MAIL

Mr. John E. Opp 1001 17th Street Key West, FL 33040

Complaint File: CRB No. 08-011

KWPD-IA File Number: (to be assigned)

Dear Mr. Opp:

After initial review of your formal complaint with this office, I suggest that you consider mediation. Mediation is an alternative dispute resolution in which you would directly meet with the officer, with a third party mediator and/or myself and try to resolve this matter amicably before it goes any further. If the matter can be resolved, ie. the subject officer agrees to modify the police report to reflect your vehicle being involved in the accident, then the file can be closed. Mediation is voluntary and no agreement has to be reached, but it is often a very useful option.

Please let me know if you will consider this option. If so, I will then solicit from the subject officer if he is willing to voluntarily participate in this process. If he does agree, we can pick a date/time that is good for both of you and then conduct mediation. Please call me to give me your thoughts on this matter.

Respectfully,

Stephen C. Muffler, Esquire

Executive Director Attorney-at-Law

cc: File



Citizen Review Board P.O. Box 1946 Key West, FL 33041

Ph: (305) 809-3887 Fax: (305) 293-9827

November 13, 2008

VIA HAND DELIVERY

Sgt. Frank Blasberg Key West Police Department

Complaint File: CRB Complaint #08-011

Request for Mediation

Dear Sgt. Blasberg:

This letter shall inform you that a complaint was logged with the CRB regarding your alleged insufficient service relative to the follow up investigation regarding Mr. John E. Opp's claims that his vehicle was impacted by a car crash. I would refer your attention to report #08-400904 and crash report #76068730. While this office has made no impression as to the subject matter of the complaint, it appears that maybe mediation between yourself and Mr. Opp could resolve this file. Our Board does offer mediation as one of the options of disposing of a complaint.

Mr. Opp has agreed to consider a mediation session with yourself and/our your representatives, to try to clear up this matter amicably. Please advise this office if you wish to participate in said mediation. It would be conducted at a neutral location (probably at City Hall) and I would personally attend, along with Mr. Opp and yourself and any other representative you wish to bring. I would solicit from the Board if they wish to incur the cost of hiring a mediator, or just allow the session to be between the aforesaid individuals.

Please let me know if you are interested in participating in mediation and I will proceed to schedule the same so that it does not conflict with your work duties.

Respectfully,

Stephen C. Muffler, Esquire

Executive Director
Attorney at Law

cc:

Mr. John Opp. Lt. David Smith

File



Citizen Review Board P.O. Box 1946 Key West, FL 33041 Ph: (305) 809-3887

Fax: (305) 293-9827

December 4, 2008

VIA HAND DELIVERY

Sgt. Frank Blasberg Key West Police Department

Complaint File: CRB Complaint #08-011

2nd Request for Mediation

Dear Sgt. Blasberg:

Enclosed please find a copy of my November 13, 2008 letter addressed to yourself. I have not received any type of response and I wanted to make sure you received it. I will be assuming that you prefer not to participate in mediation should I not receive a response from you. Note that this particular file will come up for review before the Citizen Review Board either December 22, 2008 or January 12, 2009, depending on the Board's agendas. I will be noticing you of a firm date when I learn of the same. However, it was my desire to try to reach an amicable resolution between yourself and Mr. Opp prior to such a Board meeting taking place.

Please let me know if you are interested in participating in mediation and I will proceed to schedule the same so that it does not conflict with your work duties.

Respectfully,

Stephen C. Muffler, Esquire

Executive Director Attorney at Law

:: Mr. John Opp. Lt. David Smith 5

.



Citizen Review Board P.O. Box 1946 Key West, FL 33041

Ph: (305) 809-3887 Fax: (305) 293-9827

October 28, 2008

<u>VIA REGULAR US MAIL</u>

Mr. John E. Opp 1001 17th Street Key West, FL 33040

Complaint File: CRB No. 08-011

KWPD-IA File Number: (to be assigned)

Dear Mr. Opp:

This letter shall confirm receipt of your complaint against officer Frank Blasberg. As per the Board's standard operating procedures, your complaint has been forwarded to the Key West Police Internal Affairs Department (IA) for investigation. At this time, the Board will await IA's findings and conclusions. The Board will consider the matter thereafter if you are not satisfied with IA's handling of the complaint. The Board reserves its rights to investigate the matter at any time if appropriate under the circumstances and in accordance with the City's Charter and Florida law.

Please note that all documents and communications received by this office are considered public records. You will be updated periodically by this office during material stages of the aforementioned processes. Please make sure that this office is updated at all times of any change to your contact information or mailing address.

The Board appreciates the time you have taken to lodge this complaint. If you change your mailing address, please send in written notice to this office so our files can reflect the same.

You are welcome to call or write us with any questions you may have.

Respectfully

Stephen C. Maffler, Esquire

Executive Director Attorney-at-Law

cc: File



Citizen Review Board P.O. Box 1946 Key West, FL 33041 Ph: (305) 809-3887

Fax: (305) 293-9827

December 10, 2008

Mr. John E. Opp
1001 17th Street
Key West, FL 33040

Complaint File: CRB No. 08-011

KWPD-IA File Number: (unkown)

Dear Mr. Opp:

Enclosed please find a one page summary of the Key West Police Internal Affairs investigation into your matter. It mentions two reports which this particular department will be sending to me on or about December 15, 2008. I will then forward by mail to you these items. This investigation summary and its referenced reports will be included in you file for review by the Board members during your December 22, 2008 complaint review hearing/meeting.

Stephen C. Muffler, Esquire Executive Director Attorney-at-Law

Respectfully

Encl. cc: File

Donald J. Lee, Jr.

Chief of Police



Key West POLICE DEPARTMENT

TO:

File

FROM:

Inspector Randy Smith, Office of Internal Affairs

DATE:

October 16, 2008

RE:

John Opp Crash Complaint

On October 14, 2008 I received a call in complaint regarding a traffic crash which occurred on October 04, 2008. John Opp (Complainant) stated he felt the crash report had inaccuracy within it. He explained during the crash in question his truck was struck, but this was not reflected in the report. I explained to him I would review the report and get back to him. I reviewed the crash reports (08-400904) which consisted of an initial crash report written by Ofc. Revoredo and a supplement written by Sgt. Blasberg. These reports both reflected that Opp's vehicle was not involved in the crash and Sgt. Blasberg's goes into detail describing how he was able to determine that the physical evidence showed it was not involved. Sgt. Blasberg was the Traffic Supervisor for approximately two years before going to the road as a supervisor. Sgt. Blasberg is recognized as an expert in crash reconstruction and traffic homicide investigation.

I also pulled the photographs taken as evidence from the night of the crash and reviewed the skid marks. I could not see anyway Opp's vehicle could have been struck based on the skid marks and the track of the vehicle. I attempted to contact Opp's witness Justin Blanchard and received no return call. I spoke with Ofc. Revoredo and he indicated that Blanchard never made any statement to him about Opp's vehicle being struck, although he did speak about other vehicles being struck.

As a finial step I took all the evidence to Officer Kevin O'Connell who is also an expert in traffic crash reconstruction and traffic homicide investigation. Ofc. O'Connell did an independent review with all the evidence presented and told me there was no way Opp's vehicle was involved in the crash and received the damages stated.

On the evening of October 15, 2008 I spoke with Opp and explained KWPD position and that we would not change the crash report and the matter was now closed. Opp stated he was going to explore other avenues to resolve the issue.

Note: As of December 09, 2008 I have not received any further calls from Opp or Blanchard regarding this case.







Citizen Review Board P.O. Box 1946 Key West, FL 33041 Ph: (305) 809-3887

Fax: (305) 293-9827

December 15, 2008

VIA REGULAR US MAIL

Mr. John E. Opp 1001 17th Street Key West, FL 33040

Complaint File: CRB No. 08-011

KWPD-IA File Number: (unkown)

Dear Mr. Opp:

Enclosed please find the investigation reports mention in the one page summary of the Key West Police Internal Affairs investigation into your matter. These items will be presented to the Board along with your pictures and your complaint. These shall comprise your entire file which will be reviewed by the Board members prior to the meeting/hearing. You stated that you disagree with the findings of IA and the reports and thus would prefer the Board to review this matter.

As I had mentioned to you last week, it would be helpful to bring as many eye witnesses to the Board's meeting/hearing on December 22, 2008 at 6:00 p.m. at the Old City Hall location (510 Green Street) so they can proffer to the Board what they saw and could attest to the fact that your vehicle was actually hit in the accident.

Respectfully,

Stephen . Muffler, Esquire

Executive Director Attorney-at-Law

Encl. cc: File



William A. Mauldin Chief of Police

Non-Emergency 305-809-1111

Chief's Office 305-809-1042

Administration 305-809-1085

Special Services 305-809-1083

Records 305-809-1073

Property-Evidence 305-809-1061

> Professional Standards 305-809-1035

Community Affairs 305-809-1008

Public Information 305-809-1058

<u>Detectives</u> 305-809-1015

<u>Patrol Division</u> 305-809-1013

1



Key West Police Department

Respect Integrity Fairness

FAX COVER SHEET - Office of Internal Affairs (305) 809-1081

From Fax Number: (305) 809-1064

Date:			
Sent To:			
Attention: STEPHEN MUFFLER	•	,	
From: RANDY SMUTH			
Reference:			
Number of Pages: 15 INCLUANG COVER			
Message:			

**This fax may contain information that is confidential and is intended for the recipient specified. If you have received this fax in error, please return to (305) 809-1064 and delete from your files.

1504 N. Roosevelt Blvd. wmauldin@keywestcity.com



Key West, Florida 33040 www.keywestcity.com

Donald J. Lee. Jr.





Key West

OLICE DEPARTMENT

TO:

File

FROM:

Inspector Randy Smith, Office of Internal Affairs (8)



DATE:

October 16, 2008

RE:

John Opp Crash Complaint

On October 14, 2008 I received a call in complaint regarding a traffic crash which occurred on October 04, 2008. John Opp (Complainant) stated he felt the crash report had inaccuracy within it. He explained during the crash in question his truck was struck, but this was not reflected in the report. I explained to him I would review the report and get back to him. I reviewed the crash reports (08-400904) which consisted of an initial crash report written by Ofc. Revoredo and a supplement written by Sgt. Blasberg. These reports both reflected that Opp's vehicle was not involved in the crash and Sgt. Blasberg's goes into detail describing how he was able to determine almost twenty four hours later, how the physical evidence showed it was not involved. Sgt. Blasberg was Traffic Supervisor for approximately two years before going to the road as a supervisor. Sgt. Blasberg is recognized as an expert in crash reconstruction and traffic homicide investigation.

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On the evening of October 15, 2008 I spoke with Opp and explained KWPD position and that we would not change the crash report and the matter-was now closed. Opp stated he was going to explore other avenues to resolve the issue.

Note: As of December 09, 2008 I have not received a return call from Opp or Blanchard regarding this case.



RESPECT - INTEGRITY - FAIRNESS

HSMV-90003 (REV. 01/02)

10:10:21 a.m. 12 15 2008 3/15 FLORIDA TRAFFIC CRASH REPORT DO NOT WRITE IN THIS SPACE LONG FORM MAIL TO: DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES TRAFFIC CRASH RECORDS, NEL KIRKMAN BUILDING, TALLAHASSEE, PL 22380-0837 DATE OF CRASH 12:46 XAM 12:49 AM INVEST, AGENCY REPORT NUMBER HISMY CRASH REPORT NUMBER 12:46 XAM 10 08 76068730 08-400904 MILE(S) COUNTY / CE Y CODE 8 E CITY OF TOWN (Check if in City or Town) 38 42 Key West Monroe AT NODE NO. FEET OF MILE(S) NEXT NODE NO. NO. OF LANES αñ ON STREET, ROAD OR HIGHWAY 1. DIVIDED 17th Street 2 UNDIVIDED AT THE INTERSECTION OF FROM INTERSECTION OF (street, road or highway) $\boxtimes \cap$ 100 Northside Drive YEAR MAKE USE STATE VEHICLE IDENTIFICATION NUMBER ACTION 2 HR & Run **alalalala** 2 18 Undercarriage 19 Overturn 20 Windshield 98 Ford 01 01 J882NG FL 3FAKP1139WR231898 1 30 Winder Θ S TRAILER TYPE n 16 INFORMATION 00000 е SHOW FIRST PO OF VEHICLE nated Speed EST. VEHICLE DAMAGE 2 C ă å å å 2. Functional 17th Street 1 30 25 \$500 3. No Damage MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP) VEHICLE REMOVED BY: Vehicle 1. Tow Rotation List 3. Drive Geico 1 0535843403 0 2. Tow Owner's Request Tow Truck 4 Other NAME OF VEHICLE OWNER (Chack Box If Same As Driver) CURRENT ADDRESS (Number and Street) CITY AND STATE п ZIP CODE NAME OF OWNER (Trailer or Towed Vehicle) CURRENT ADDRESS (Number and Street) CITY AND STATE 7tP CODE П NAME OF MOTOR CARRIER (Commercial Vehicle Only) destrian **CURRENT ADDRESS (Number and Street)** CITY, STATE / ZIP CODE NAME OF DRIVER (Take From Oriver License) / PEDESTRIAN CURRENT ADDRESS (Number and Street) CITY & STATE / ZIP CODE Pe RICHARD DANIEL LEWIS 3722 CINDY AVE Key West, FL 33040 REO. ALC/DRUG TEST TYPE DRIVER LICENSE NUMBER S. EQUIP. EJECT. TYPE 5 1 Blood 3 Urine 5 Non FL 3 2 Breath 4 Refused 2 AZUNOUS HAYERIALE SYEE, INDICATE NAME OR 4 DIGHT NUMBER FROM DUMOND OR BOY ON PLACAPD, AND 1 DIGHT NUMBER FROM BOTTOM OF DIVAGONO. DRIVER'S PHONE NO. 2 2 2 2 DRIVER 1. Phentons ACTION 2. Hit & Run YEAR TYPE VEH. LICENSE NUMBER VEHICLE IDENTIFICATION NUMBER 3 4 6 6 7 3 18 Undercarriage 19 Overtum 20 Windshield 21 Trailer 2 05 Ford 01 116MOR 3. N/A TRAILER OR TOWED VEHICLE FL 1FTRE14W35HA89519 17 TRAILER TYPE 15 16 INFORMATION θ SHOW PART POINT 14 13 (12 (11 10 9 VEHICLE TRAVELING Est MPH osted Speed EST. VEHICLE DAMAGE C 1. Disabling 11 EST. TRAILER DAMAGE 2. Functions 2 Legally parked 1009 17th St 25 \boxtimes a \$500 DAMAGED AREA(E) 3. No Damad MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP) VEHICLE REMOVED BY Φ 1. Tow Rotation List 3. Driver 4 Assurance Company 0 SCP02541854 Owner 2. Tow Owner's Request Veh NAME OF VEHICLE OWNER (Chack Box If Same As Driver) CURRENT ADDRESS (Number and Street) CITY AND STATE n ZIP CODE WAYNE E RILEY 1009 17TH ST Key West, FL 33040 NAME OF OWNER (Trailer or Towed Vehicle) **CURRENT ADDRESS (Number and Street)** CITY AND STATE ZIP CODE 2 П a NAME OF MOTOR CARRIER (Commercial Vehicle Only) CURRENT ADDRESS (Number and Street) CITY, STATE / ZIP CODE US DOT or ICC MC IDENTIFICATION NUMBERS Pedest NAME OF DRIVER (Take From Driver License) / PEDESTRIAN CURRENT ADDRESS (Number and Street) CITY & STATE / ZIP CODE DATE OF BIRTH Legally Parked SEO. ALC/DRUG TEST TYPE DRIVER LICENSE NUMBER ALC/DRUG PHYS.DEF EJECT TYPE 1 Blood 3 Urine 5 Non 2 Breath 4 Refused ER FROM DIMMOND OR B DRIVER'S PHONE NO 2 2 2 2 W VEHICLE USE TRAILER TYPE RESIDENCE (Driver / Ped.) PHYSICAL DEFECTS ALCOHOL / DRUG-USE LOCATION HAILEH TYPE OI Single Semi Trailer O2 Tandem Sami Trailer O3 Tank Trailer O3 Tank Trailer O5 Walter Trailer O5 Waltey Trailer O5 Waltey Trailer O9 Toward Vahicle 01 Private Transportation 02 Commercial Passengers County of Cresh Elsewhere in State Non-Resident of State Foreign 5 Unknown No Defects Knov Eyesight Defect Faligua / Asleep Hesting Defect Not Drinking or Using Drug: Alcohol - Under Influence 02 Van 03 Light Truck / P.U.-2 or 4 near tires 04 Medium Truck - 4 rear tires 05 Heavy Truck - 2 or more rear soles 05 Truck Truck rear tires 05 Bloycle 11 Motorrycle 13 All Terrain Vehicle 14 Truin IN VEHICLE 102 Commercial Pagase 93 Commercial Cargo 94 Public Transportatio 95 Public School Bus 95 Private School Bus 97 Ambulance 98 Law Enforcement 99 Pire / Rescue 110 Millary ation z Alconor - Unuer states ice 3 Orugs - Under Influence 4 Alcohof & Drugs - Under Influence 5 Had Been Drinking 5 Pending Alcohol/Drug Test Results DL TYPE 1A 2B 3C 4 D/Chauteur RACE 5 finess 5 Front Right 6 Rear Left 5 Rear Center 6 Rear Right 7 In Body Of Truck 8 Bus Passenger 9 Other 6 Seizure, Epilepey, Blackout 7 Other Physical Defect 1 White 2 Black 3 Hispar 4 Other 5 E/Operator 6 E/Oper-Rest INJURY SEVERITY SAFETY EQUIPMENT IN USE 10 Military 11 Other Government Not in use Seat Belt / Shoulder Hame Child Restraint Air Bag - Deployed Sair Bag - Not Deployed Badey Helmet Eye Protection

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8 Non-Traffic Fatality

9 Other

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ENDORSEMENTS

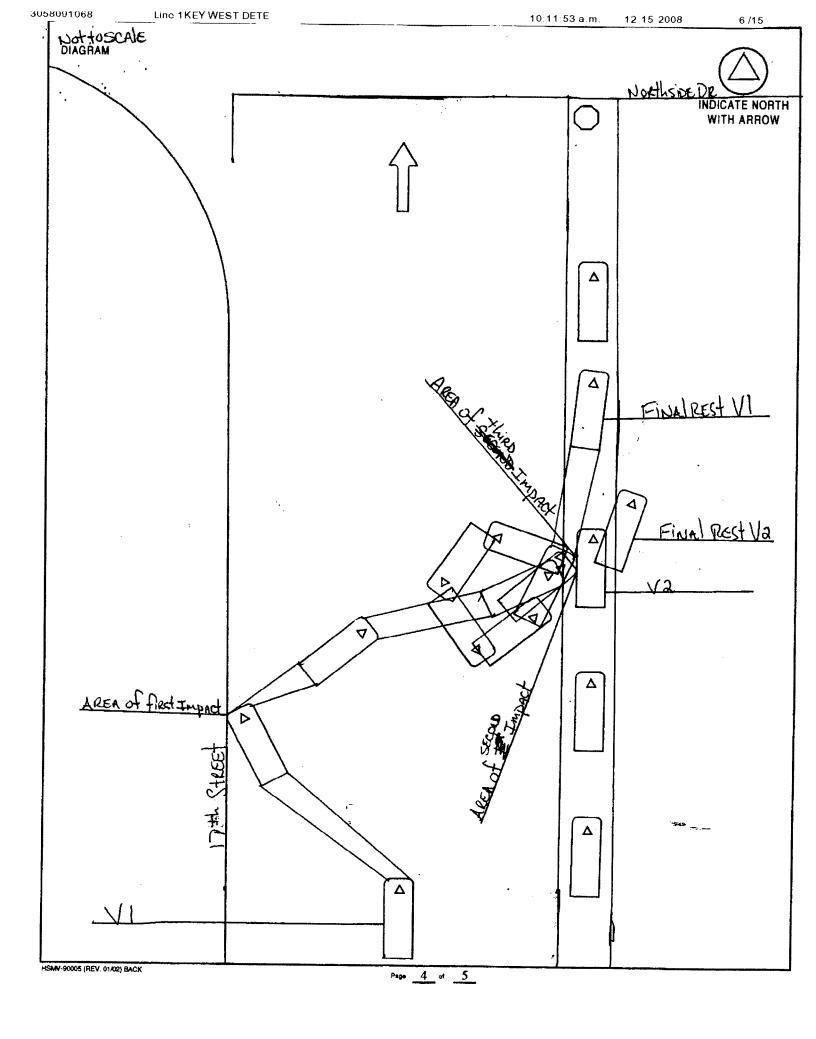
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03	3 Coli	tision With MV in Transport (Head Meion With MV in Transport (Angle	On) 1	6 MV HIR SI 7 MV UNINY	ign / Sign Post Pole / Light Po			31 Overtu			08	, "	[,]	02 U.S. 03 State	06 Privat	a Roadway her (Explain		02 0	lawn		04
05	S Coll	lieion: With MV in Transport (Left To Helon: With MV in Transport (Right Belon: With MV in Transport (Sides	Turn) 1	B MV HILD B MV HILD B MV HILD		ter Well			ant Fell From r/ Trailer Jec		Uð.			04 County 05 Local 06 Tumpika		rrative)		05 0	ark (Stree ark (No S	et Light) Street Light	a)
07	7 Col	Helon With MV in Transport (Back Helon With Parked Car	ed Into) 2 2	11 MIV HITE 2 MIV HIR TO	Bridge/Pler/Al res / Shrubbery	butm e nt		35 Explor 38 Downt	di Runaway		/	-	/		REACE CO	NOM	WEATH 01 Clear	ER A		IRFACE	
10	Coll	lision With MV on Roadway lision With Pedestrian lision With Bicycle	2	4 Colleion 1	With Construct With Traffic Ga With Crash Atla	10	ade Sign	36 Separi	Loss or Shift illion of Units i Crossover		/	/	/	02 Wat 03 Slippery		02	02 Cloud 03 Anin	02	2 Blackto 3 Brick/ E	Plock	
12	Coll	Neion With Bicycle (Bike Lane) lision With Moped	2	e Catteion V 7 MV Ht Ot	With Flood Obje ther Flood Obje	ect Above Icl		77 All Oth Namul	er (Explain II ve)	n	1	1	1	77 All Other (Explain I	n Narrative)	02	77 All Oth (Explain	ner 0	Concre Dirt	r (Exptain	02 In
RC	DAD	CONDITIONS AT TIME OF (Collision \	VISION O	BSTRU	CTED			IC CONTI	OL.	_		SITE LOCA	TION		Names	TRAFFICW	AY CHA	ve)	
03	Obe Obe	Mruction With Warning Arustion Without Warning		01	01 Vision N 02 Inciemen 03 Parked/I	Stopped !	Vehicle	01		iontrol aixi Speed Z ad Control Si		ſ	01	01 Not At Int 02 At Interse 03 Inthuenced	ction			01. Straight - 02. Straight - Downgra	Upgrade	, _	
05	Lac	d Under Repair / Construction He Surface Materials ulders - Soft / Low / High			04 Trees / 0 06 Load On 06 Building	Vahiole		L	04 Spee 05 Traffi 06 Stop	id Zone Io Signal	11 Po	med No Li Passing :	-Turn	04 Orlveway 05 Railroad 05 Bridge	Access 115	Private Prop		03. Curve - L 04. Curve - U	evel pgrade /	(01
07	Hotel Stan	es/Ruts/Linsale Paved Edge nding Water n / Polished Road Surface			07 Signs / B 06 Fog	listboarde		[07 Yeld 08 Flash	Sign ling Light	77 AR	Other (Ex	plain in	07 Entrance 08 Exit Ram	Ramp 13 F	Public Bus S All Other (Ex	top Zone optein in	Oowngra TYPE SHO 01. Paved	LDER	_	=
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Γ	T			OF VIOLA			FL S	ATUTE NU	MBER		·			CHARGE		•	······	CI	TATION	NUMBE	R
1:	ᅿ			of VIOLA				6.1925			-	(Care	less Dr	lving					-EVB	
	Violator(S)	1	Richa	rd Lev	vis			16.061(Crash	- Lea	aving	the s	cene w/	giving	infor	nation			EVB	
13	O	SECTION #	NAME C	S VIOLA	700		FL ST	ATUTE NU	MBER					CHARGE						NUMBE	
1.9	ōΙ			I TIOLA	IOH				1												
12.7	<u>-</u>	SECTION #	NAME C	OF VIOLA				ATUTE NU	MBER					CHARGE					TATION	NUMBE	R

NARRATIVE / DIAGRAM

	IAFETY & MOTOR VEHICLES, TRAFFIC CRASH KMAN BUILDING, TALLAHASSEE, FL 32300-05												•
Time EMS Notified (FATALITIES ONLY)	TIME EMS ARRIVED (FATALITIES ONLY)	DATE OF	CRASH		COUNTY / CIT	Y CODE	INVEST. AGENC	Y REPORT NUMBE	A	HSM	/ CRAE	H REPOR	THUMBER
	AM PM	10	04	08	38 /	42	0	8-400904			76	06873	0
V1 was traveling northbou	nd on 17th Street. V2 was le	egally p	arked o	nunn on the	,	ock of 17	th Street. V	/1 hit the cu	rb o	n the l	eft s	ide of	the
street, traveled to the right	side of the street and collide	ed with	V2. V1	spun	and coll	ided wit	h V2 a seco	ond time. Di	of \	√1 exi	ted	the ve	hicle
and fled the scene. D1 of V	1 later returned to the scene	e where	he atte	mptec	d to flee i	upon oui	arrival, bu	t the witnes	s to t	he cra	sh h	eld D	l until
we were able to detain him													
property damage. There we													1443
		iici ven	icies iui	Jan	age, but	uiu kot i	ио апуции	g which mo	icate	u new	<u> aar</u>	nage	······································
relating to V1 on any vehic	ies in the area.												

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SECT PASSIPPASSENGER'S NAME	CURRENT ADDRE	88			CITY & STA	TE.	ZIF CODE	DATE OF BIRTH	RACE	SEX LC	C IN	a. EQUI	E. EJECT.
SEC# PASS# PASSENGER'S NAME	CURRENT ADDRE	85			CITY & STA	TE	ZIP CODE	DATE OF BIRTH	FACE	SEX LO	C IN	S. EQUI	P. EJECT.
SECT PASSE PASSENGERS NAME	CURRENT ADDRES	38			CITY & STA	TE	ZIP CODE	DATE OF BIRTH	RACE	SEX LO	c K	S. EQUI	P. EJECT.
SECO PASSO PASSENGER'S NAME	CURRENT ADDRES	58	1 . m. E .		CITY & STA	πE	ZIP CODE	DATE OF BIRTH	RACE	SEX LO	C IN	S. EQUI	P. EJECT.
SECUPASSUPASSENGERS NAME	CURRENT ADDRES	ss			CITYASTA	(IE	ZIP CODE	DATE OF BIRTH	RACE	SEX TO	C IN	I S FOU	PERCY
SECS PASSA PASSENGER'S NAME]					
SECUPASSE PASSENGERS NAME	CURRENT ADDRES	99			CITY & STA	TE	ZIP CODE	DATE OF BIRTH	AACE	SEX LO	CIN	8. EQUI	P. EJECT.
(S) SECTIONS NA	ME OF VIOLATOR .	FL STATUT	E NUMBER				CHARGE			L	To	ITATION N	NMBER
SECTIONS NA	ME OF VIOLATOR	FL STATUT	E NUMBER				CHARGE				c	ITATION N	UMBER
	weni Apriess city a s	TATE	ZP CODE	W/THE	\$8 NUME (2)		CURRENT	ADDRESE	~92	es CATY	A STATE		ZIP CODE
Justin Blanchard 1013 17th	Street Key West, FL 3304 1. Physician or Nurse 2. Paramedic or EMT 3.			RED TAK	(EN TO:			BY-NAME					
	4. Certified 1st Aider 5. Other THEN WHERE? 19		F NO , THEN !	MHY2	DATE OF	REPORT	PHOTOS			F YES, BY		<u></u>	
INVESTIGATION 1 Yes 1 MADE AT SCENE? 2 No	INVESTIGATION 1 Yes COMPLETE? 2 No	1			1 0		PHOTOS TAKEN	1 Yes 2	1			G AGENCY	
INVESTIGATOR PANK & SIGNATURE	1.10	962/P8		DEPAR	TMENT K	ey West	Police Dep	artment		ŕ	"] [**************************************	OTHER
HSMV- 90005 (Rev. 1/02)			Page	3 α									

DO NOT WRITE IN THIS SPACE





Key West Police Department Witness List



INCIDENT NATURE: 53N CASE NUMBER: 08-400904 OCCURRED: Day: FRIDAY Date: 10-04-08 Time: 0047 **CODES:** S = Subject of Complaint C = Complainant W = Witness O = OtherName: Richard DANIE LEWIS Home: 3722 CINDY AVE Age: DOB: 02-14-90 Race: W Sex: M Phone # DI Work: Phone # Local: Phone # If temporary, until when? Name: WAYNE KIEL DOB: Age: Race: W Sex: M Home: 1009 Phone # Work: Phone # Local: Phone # If temporary, until when? Name: Justin Blanchard Age: DOB: Race: W Sex: M Home: 1013 17+6 STREET W Phone # 305-923-357 Work: Phone # Local: Phone # If temporary, until when? Name: Age: DOB: Race: Sex: Home: Phone # Work: Phone # Local: Phone # If temporary, until when? Name: Age: DOB: Race: Sex: Home: Work:
Local:
If temporary, until when? Phone # Phone # Phone # Name: DOB: Age: Race: Sex: Home: Phone # Work: Phone # Local: Phone # If temporary, until when? INVESTIGATOR: Rank: Ofc Name: N REVOLED ID# 2962 SIGNATURE: __Date: 10-04-08

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MAIL TO: DEPT. OF HIS RECORDS, N		MOTOR VEHICLES, TR LORIG, TALLAHABORE,	, FL 32389-0800								
·		•		ATE OF CIVE	_	/ 42		NEPORT NUMBE 3-400904	HS HS		
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S NAME OF MOTO	AR CARRIER IC	ommercial Vahicle C	ONN CURRENT	T ADDRESS (Number sa	d Street		CITY , STATE / ZIP (CODE	US DOT or	ICC NC IDENTIF	CATION NUM
ir ir	in a though join									$\Pi \Pi$	TT
NAME OF DRIVER	Take From Driver L	icense) / PEDESTRIAN	CURRENT	TADDRESS (Number es	d Street)	*****		TY & STATE / ZIP	CODE	T	DATE OF BU
۵			STATE DL] RE	EO LUCIORUS TEST T	VDE	EGEN IN	CADRUG PHYS.DE	F.J. REB. J. R.	KOE I SEX		S. EQUIP.
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NAME OF VEHICLE										Owner's Reques	4. Other
> WARE OF ARHICTE	CHARLER (Chack Bo	ou If Same As Driver)	CURRENT	T ADDRESS (Number sa	d Street)			CITY AND STA	NTE		ZIP CC
MAME OF OWNER	(Trailor or Toward V	ehicle)	CURREN	T ADDRESS (Number an	d Street)			CITY AND STA	NTE		ZIP CC
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	OR CARRIER (C	commercial Vehicle C	Only) CURRENT	T ADDRESS (Number an	od Street)		CITY, STATE / ZIP	CODE	US DOT -	CC MC IOEVINE	CATTON NAME
HAME OF DRIVER	(Tales From Driver I	license) / PEDESTRIAN	CURREN	TADDRESS (Number on	d Street)			ITY & STATE / ZP	000€	┷┷	DATE OF BIR
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Collision With Hoped Collision With Train relicate: On Outober 4th 2008 at 1240 represented to 17th St in regards to a fo		& run in the area of 10		corded to the econe	p. Mr. Oup provided the	following status				
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Had re-ordbroad his humper previous 'elled his insummer company to make	ty (date unknown) date to having be a claim	con mer-caded in the pa			December is olid states there	is contosion pros	had ca) tan	that post	ions of the	
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Had re-ordered his hamper previous Celled his insumance company to make westigation: The vehicle reportedly damaged is an o siminguist. The business also has est companied. The business also has est companied. The business also has est	ty (date unknown) due to having be e a claim older model pickup track with order conseve "Bondo" repeir and crush Se	con mer-ended in the particle of the particle of the real photos 1-6 flw further photos 1-6	er portion of the vehicle or relevance. Tallfights	e, especially the reer bumper. I were intest but unknown if op SSENGERS GITY & STATE CITY & STATE	zip code	DATE OF BIRTH	RACE SE	LOC LOC	Put" who	l I vie
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Stated his vehicle was pushed three (3 Had re-enforced his homper previous Called his insurance company to make revestigation: The vehicle reportedly damaged in an o Liminguish (). The beenpar also has est	hy (date unknown) due to having be e a claim older model pickup track with extent consive "Bondo" repetr and crush Se	CONTRACT ADDRESS LURRENT ADDRESS LURRENT ADDRESS LURRENT ADDRESS LURRENT ADDRESS LURRENT ADDRESS LURRENT ADDRESS	er portion of the vehicle or relevance. Tallfights	e, especially the rear homoer. It op were intent but reference if op CITY & STATE CITY & STATE CITY & STATE CITY & STATE	ZIP CODE ZIP CODE ZIP CODE ZIP CODE	DATE OF BIRTH DATE OF BIRTH DATE OF BIRTH	RACE SE	Croc	Pert when	I vio

1 No Impresor Driving (Autic 2 Countess Driving 3 Palled To Yield Right-of- 4 Impresor Bedding 5 Impresor Turn, 7-Albuda - Under Influence 8 Daugo - Under Influence 8 Riestel & Couge - Under In 8 Pellement Toe Cleanly 1 Disregarded Traille Mgrel 2 Emenand Robs Speed Lin 3 Disregarded Tool Speed	Naj	VEHICLE DEFECT Of No Dubele GC Def. Brishes OF Defect of Improper OF Statute / Brown OF Statute / Brown OF Whether Brown OF Statute Brown OF Whether OF Whether OF Whether Defect OF Statute OF S	VEHICLE MOVEME Of Straight Aland 22 Staving / Singpod / CS Matery Last Turn O4 Staving Right Turn		VEHICLE SPECIAL	FUNCTIONS.
7 Especially Straffic	20 Disregation Other Traffic Central / Yahlala 21 Disking Wrong Stde / Way 22 Passing Pulice 23 Values Modified	POINT OF COLLISION	06 Changing Lance 07 Extering / Leaning P	11 Fluesting 12 Driverless or Fluesting 17 All Oliver (Explic in receptive) CN procision or Oliver (Explic in receptive) CN procision or Oliver Warten in Read In Read Against Trailis	2 Farm 3 Poleo Purnell 4 Resreadoral 5 Emergency Operation 6 Construction Make SOURCE OF CARE 1 Net Applicable 10 2 Ship-log Payers 3 Vettors Side 4 Direct 5 Other	RIEN INFORMATION
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investigating th	e rear bumper I could not f	(AD	ornonal numerative) Nor could I locate a "del	oris field" undernea	th. (See photos	4 &5). Since a
westerly coming	now distinct yaw marks lef	hese yaw marks are ap	pproximately 5 feet away			

			TIONAL PASSENGERS CITY & STATE	ZIP CODE DAT	TE OF BIRTH RACE SEX	
ESTASSIPASSINGS	TS NAME	CURRENT ADDRESS		i i		LOC NUS KOUP.
		CURRENT ADDRESS	CITY & STATE	ZIP COOK DAT	E OF BERTH RACE SEX	
ASSET MASSENGER	SHOP	···	CITY & STATE		3 1 1	LOC INJ SCHOOLS
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KEY WEST POLICY DEPARTMENT () · Key West, FL

the state of the s	rial Evidence lafekeeping (Return)	O Stolen/Rec		O Found Property O For Destruction
CASE NUMBER:	DATE/TIME IM			
EXACT ADDRESS WHERE WAS IMPOUNDED:	PROPERTY TYPE	OF CASE:	THE RESERVE OF THE PERSON OF T	· · · · · · · · · · · · · · · · · · ·
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	O Felo	1. X		O Misdemeanor
CODES: S = SUSPECT	v = arrestee v = v	VICTIM O = O	WNER R REI	ORTING PERSON
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I hereby acknowledge that the allove taken from my possession and that I receipt. (Please read the information an explanation of your rights according	list represents all property. have received a copy of this on the back of this sheet for	I hereby acknowled	ge that the above reprint the official performanter:	esents all property
Signature (x):		Employee ID#	1556/5	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
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Received By:	Reason:		Date/Time Receiv	ed:
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Driver And Vehicle Information Database (DAVID)

DIGITAL IMAGES ARE RESTRICTED TO LAW ENFORCEMENT USE PURSUANT TO S. 322.142(4), FLORIDA STATUTES - IMAGES INCLUDE PHOTOGRAPHS AND SIGNATURES

Individual Summary Page



DL/ID Number

Class E

Status **VALID**

JOHN E OPP **1001 17TH STREET KEY WEST FL 330404234**

All Addresses On File

Date of Birth 02-03-79

Sex M

Height 5'05

State Of Birth

Arizona

Restrictions

Endorsements

Issue Date 09-27-04

Duplicate Date 03-05-08

Expiration Date

02-03-11



Form Number T710803050065

Conditional Messages:

		V	ehicle Inform	nation			
Record	VIN	Type	Color	Body	Make	Acquired Date	Reg
View	JH27B1009FS	MOTORCYCLE	BLACK	MOTOR SCOOTER	HONDA	09-07-05	227294595
View	2GCCC14H9F1174348	AUTO	YELLOW	PICKUP	CHEVROLET	08-02-06	230536178
View	JH2TB100XGS100478	MOTORCYCLE	RED	MOTOR SCOOTER	HONDA	08-10-07	232913545
View	JH2TB1008FS000121	MOTORCYČLE	BLACK	MOTOR SCOOTER	HONDA	06-14-07	232913590
View	JN2TB1000FS000355	MOTORCYCLE	BLACK	MOTOR SCOOTER	HONDA	06-19-08	235869231

2.4	Driver License Transactions										
Record	DL/ID Number	Transaction Date	Issue Date	Update Time	Lic Type	Issue Type	Change Type FL Disp				

View	O100465790430	03-05-08	09-27-04	03-05-08 16:26:43	DL	Duplicate	None	Lost
View	O100465790430	05-03-07	09-27-04	05-03-07 10:24:03	RCT	Reinstatement	None	
View	O100465790430	09-27-04	09-27-04	09-27-04 09:30:51	DL	Original	None	
View	O100465790430	09-22-04	09-22-04	09-22-04 10:39:21	RCT	No Issuance	None	
View	O100465790430	09-21-04	09-21-04	09-21-04 09:29:37	RCT	No Issuance	None	
View	O100465790430	05-24-04	05-24-04	05-24-04 11:22:38	ID	Original	None	
View	O100465790430	05-20-98	05-20-98	05-20-98 12:14:01	ID	Original	None	

Historical Driver License Activity

Vehicle Insurance Previous Vehicles

Photo Array Signature Array

New Search Main Menu

2



Driver And Vehicle Information Database (DAVID)

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Individual Summary Page

Emergency Contact Information

DL/ID Number

Class

Status VALID



RICHARD DANIEL LEWIS **3722 CINDY AVE KEY WEST FL 330404408**

Sex

Height

State Of Birth

Date of Birth 02-14-90

M

6'00

Delaware

All Addresses On File

Endorsements

Restrictions

Duplicate **Expiration Date** Date

Issue Date 06-12-07 08-26-08

02-14-14

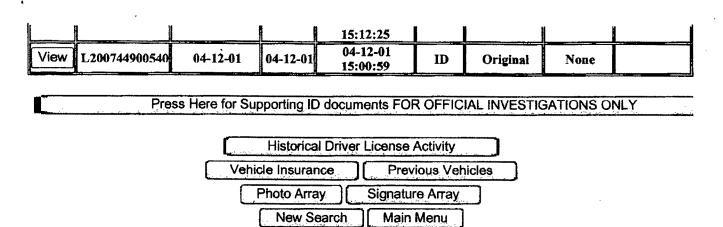
Form Number T710808260004

Conditional Messages:

UNDER 21 UNTIL: 02/14/2011 SAFE DRIVER

	Vehicle Information											
Record	VIN	Туре	Color	Body	Make	Acquired Date	Reg					
View	3FAKP1139WR231898	AUTO	BLUE	2 DOOR	FORD	04-22-08	47521432					

	2/		Drive	r License Transact	ions			· 4 4
Record	DL/ID Number	Transaction Date	Issue Date	Update Time	Lic Type	Issue Type	Change Type	FL Disp
View	L200744900540	08-26-08	06-12-07	08-26-08 10:49:25	DL	Replacement		Surrendered
View	L200744900540	08-26-08	06-12-97	08-26-08 10:39:18	EXO	Exam Only	None	
View	L200744900540	06-12-07	06-12-07	06-12-07	LL	Original	None	i



21



Citizen Review Board
City of Key West Florida
Executive Director's Memo

TO:

Lt. David Smith

FROM:

Stephen Muffler, Esquire

DATE:

12/09/08

RE:

CRB Agenda for 12/22/08

Attached please find the agenda for the above referenced CRB meeting. Also enclosed please find the respondent officers' notices. Would you please forward these notices to the individual officers so that they are aware of this upcoming meeting? It would be desirable for a representative from your office attend this meeting to help address the Board's specific questions on any files or procedures. Please note that all of the Board materials are now available for yourself or the respondent officer's to view on the CRB website.

AGENDA

Citizen Review Board Meeting Old City Hall, 510 Greene Street

Monday, December 22, 2008 6:00 p.m.

- 1. CALL THE MEETING TO ORDER
- 2. ROLL CALL
- 3. PLEDGE OF ALLEGIANCE
- 4. APPROVAL OF MINUTES:
 - a. December 8, 2008
- 5. TRACKING CHART REVIEW
- 6. CONTINUED OR NEW BUSINESS
 - a. Review File: Jessica Smith—CRB# 08-008; &
 - b. Review File: John Opp CRB# 08-011
- 7. COUNSEL'S REPORT
- 8. CHAIRMAN'S REPORT
- 9. BOARD MEMBERS REPORT/GENERAL COMMENTS

10. EXECUTIVE DIRECTOR'S REPORT

- a. Update-Status of Proposed Working Agreement between CRB & KWPD;
- b. Status of Omar Brown (CRB Case #07-011) Limited Investigation;
- c. Status of Securing IA's List of 2008 Files (summaries & filing dates & resolution of files);
- d. Monthly Meetings between CRB Executive Director & Chief 1st Tuesdays of every month at **10:00 a.m**. in the year 2009 to improve CRB & KWPD communications; &
- e. Monthly Meetings between CRB Executive Director & IA staff 1st Tuesdays of every month at **9:00 a.m**. in the year 2009 to improve CRB & KWPD communications.

11. PSO/IA COMMENTS/FOLLOW-UP

- a. Status of IA Internal Investigation list for 2008 (see items 10(c));
- b. Dialog between Board and IA as to how to handle 45/180 day time limits in the future
- 12. PUBLIC INPUT
- 13. MEDIA AND PRESS QUESTIONS
- 14. ADJOURNMENT



Citizen's Review Board City of Key West Florida Executive Director's Memo

TO:

Officer Frank Blasberg

FROM:

Stephen Muffler, Esquire

DATE:

12/09/08

RE:

CRB Complaint #08-011/John Opp

Attached please find a copy of the proposed Agenda for the CRB meeting to be held at 6:00 p.m. at the Old City Hall on December 22, 2008. One or more of the Board Members and/or the Executive Director as placed the above referenced file on the Agenda for discussion. You are a respondent in this file and are invited to attend this meeting to help clarify the matter to the Board members. You are under no obligation to attend nor speak to the Board, but your input on the matter would be carefully weighed and would assist the Board in reaching a fair and just recommendation. You may attend personally, via a union representative or through legal counsel.

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Citizen Review Board P.O. Box 1946 Key West, FL 33041 Ph: (305) 809-3887

Fax: (305) 293-9827

December 9, 2008

VIA HAND DELIVERY

Mr. John E. Opp 1001 17th Street Key West, FL 33040

Complaint File: CRB No. 08-011

KWPD-IA File Number: (to be assigned)

Dear Mr. Opp:

Please be advised that one or more Board members and/or the Executive Director of the Citizen Review Board has placed the above referenced matter on the Agenda for the December 22, 2008 meeting at Old City Hall starting at 6:00 p.m. Enclosed please find the proposed agenda for that meeting. It would helpful if you and/or your representative could attend this meeting to help the Board reach a fair and just recommendation. Please advise this office of any further evidence that would support your claims of unprofessional conduct by the subject officer(s) mentioned in your complaint.

You are welcome to call or write us with any questions you may have.

Respectfully,

Stepher C. Muffler, Esquire

Executive Director Attorney-at-Law

cc: File

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